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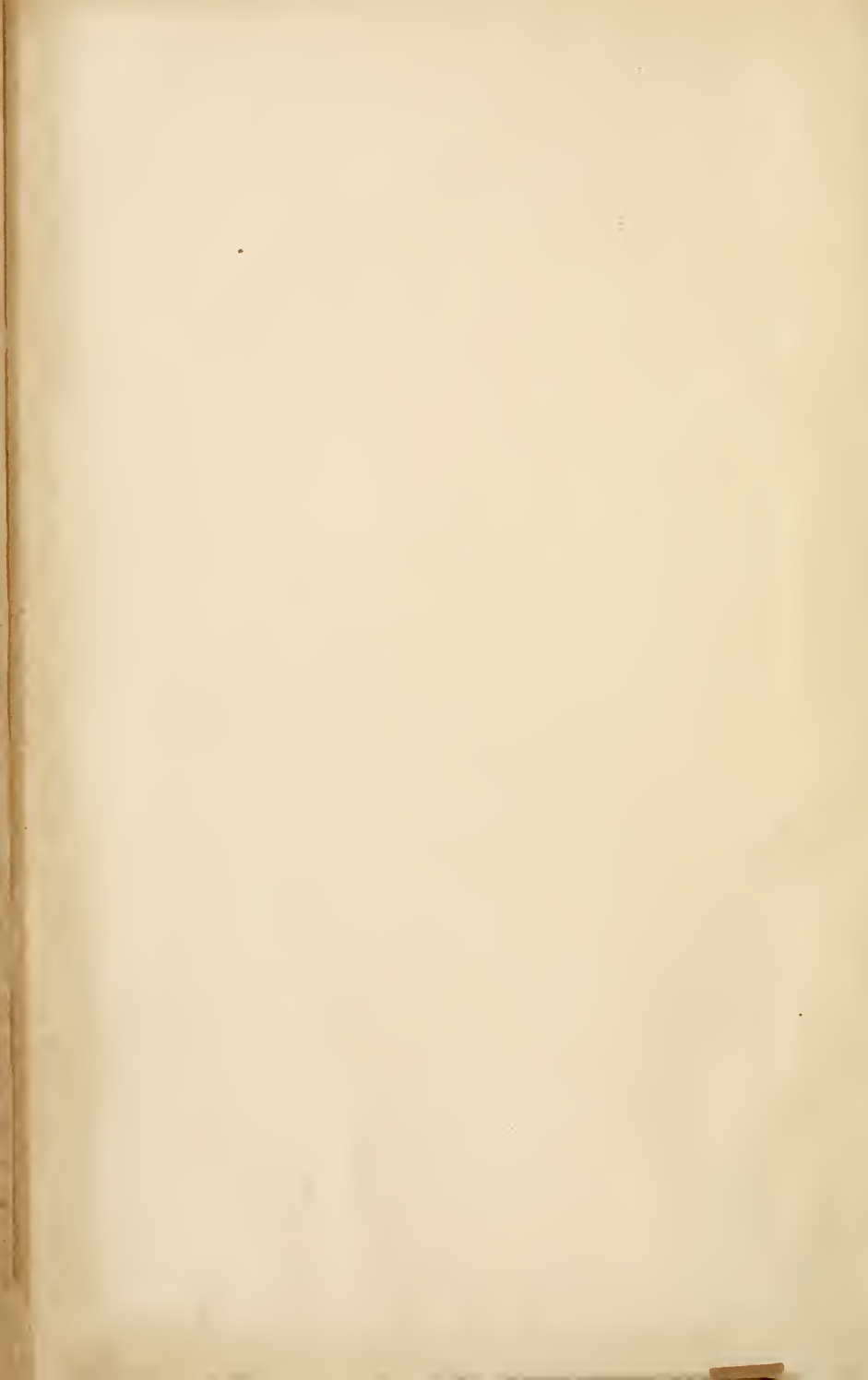
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OF THE

STATE OF ILLINOIS,

PASSED BY THE

FIFTEENTH GENERAL ASSEMBLY,

AT

THEIR SESSION, BEGUN AND HELD IN THE CITY OF SPRINGFIELD,

DECEMBER 7, 1846.

PUBLISHED IN PURSUANCE OF LAW.

SPRINGFIELD:
CHARLES H. LANPHIER, PUBLIC PRINTER.
1847.



L A W S

OF THE

STATE OF ILLINOIS.

AN ACT to apportion the representation in the several counties in this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That until the next census, as provided by the constitution, shall have been taken, and an apportionment made thereon, the following shall be the ratio of representation for this State, viz: That each nineteen thousand white inhabitants shall be entitled to one senator, and each six thousand five hundred white inhabitants shall be entitled to one representative, to be apportioned and divided as follows, to-wit: The county of Madison one senator and two representatives; the county of St. Clair one senator and two representatives; the counties of Monroe, Randolph, and Perry, one senator, and each one representative; the counties of Montgomery and Bond one senator and each one representative; Washington and Clinton one senator and one representative each; the counties of Jackson, Union, Alexander and Pulaski one senator, Jackson one representative, Union one representative, and Alexander and Pulaski one representative; the counties of Massac, Pope, Johnson, Williamson, and Franklin one senator, Pope and Hardin one representative, Franklin one representative, Williamson one representative, and Johnson and Massac one representative; the counties of Gallatin, White and Hardin one senator, Gallatin one representative, White one representative, and Gallatin and White one representative; the counties of Hamilton, Wayne, Edwards and Wabash one senator, Hamilton one representative, Wayne one representative, Edwards and Wabash one representative; the counties of Richland, Lawrence, Crawford and Jasper one senator, Richland and Jasper one representative, Crawford one representative, and Lawrence one representative; the counties of Clark and Edgar one senator, Clark one representative, Edgar one representative, and Clark and Edgar one representative; the counties of Marion and Jefferson one senator, Marion one representative, Jefferson one representative; the counties of Shelby, Coles and Cumberland one senator, Shelby one representative, Coles one representative, and Shelby, Coles and Cumberland one representative; the counties of Fayette, Ellingham and Clay one senator, Fayette, &c.

Ratio.
Madison.
St. Clair.
Monroe, &c.
Montgomery and Bond.
Washington and Clinton.
Jackson, &c.
Massac, &c.
Gallatin, &c.
Wayne, &c.
Richland, &c.
Clark and Edgar.
Marion and Jefferson.
Shelby, &c.

Lake, &c.	Fayette one representative, and Effingham and Clay one representative; the counties of Lake and McHenry one senator, Lake one representative, McHenry one representative, and Lake and McHenry one representative together; the county of Cook one senator and four representatives; the counties of DuPage, Will and
Cook.	Iroquois one senator, DuPage one representative, Will two representatives, and Will and Iroquois one representative; the county of
Will, &c.	Hancock one senator and four representatives; the counties of
Hancock, Adams, &c.	Adams and Marquette one senator, Adams two representatives, and Marquette one representative; the counties of McDonough, Schuyler and Brown one senator, McDonough one representative, Schuyler one representative, and Brown one representative; the counties of
McDonough, &c.	Warren, Henderson and Knox one senator, Knox and Warren one representative, Warren and Henderson one representative, and
Warren, &c.	Knox one representative; the county of Fulton one senator and two representatives; the county of Pike one senator and two representatives; the counties of Macoupin and Jersey one senator, Macoupin one representative, and Jersey one representative; the
Fulton.	counties of Greene, Scott and Calhoun one senator, Scott one representative, Greene one representative, and Greene and Calhoun one representative; the counties of Morgan, Cass and Mason one
Pike, Macoupin and Jersey.	senator, Morgan three representatives, Cass one representative, and
Greene, &c.	Mason one representative; the counties of Jo Daviess, Stephenson and Carroll one senator, Jo Daviess two representatives, Jo Daviess, Stephenson and Carroll one representative, and Stephenson one
Morgan, &c.	representative; the counties of Ogle, Winnebago and Boone one
Jo Daviess, &c.	senator, Ogle one representative, Winnebago one representative, and Boone one representative; the counties of Lee, Whiteside, Rock Island, Henry and Mercer one senator, Lee and Whiteside
Ogle, &c.	one representative, Rock Island, Henry and Mercer two representatives; the counties of Sangamon and Christian one senator, to be
Lee, &c.	chosen from Sangamon, Sangamon three representatives, and Christian one representative; the counties of Moultrie, Macon, Piatt, Champaign and Vermilion one senator, Moultrie, Macon and Piatt one representative, Vermilion one representative, and Vermilion and Champaign one representative; the counties of Menard, Logan, DeWitt and McLean one senator, Menard, Logan and De
Sangamon, &c.	Witt two representatives, and McLean one representative; the
Moultrie, &c.	counties of Tazewell, Woodford, Marshall and Putnam one senator, Tazewell one representative, Tazewell and Woodford one representative, and Marshall and Putnam one representative; the
Menard, &c.	counties of LaSalle, Livingston, Kendall and Grundy one senator, LaSalle one representative, LaSalle and Livingston one representative, Kendall and Grundy one representative; the counties of Kane and DeKalb one senator and two representatives; the counties of
Tazewell, &c.	Peoria, Stark and Bureau one senator, Peoria one representative, Stark and Bureau one representative, and Peoria, Stark and Bureau
La Salle, &c.	one representative.
Kane and De Kalb.	
Peoria, &c.	

SEC. 2. Whenever, in the preceding section, two or more counties are joined together for the purpose of electing representatives or senator, they shall form, and are hereby constituted, districts for that purpose. The clerks of the county commissioners' courts in each of said districts (except the counties of Will, DuPage and Iroquois, the returns from which shall be made to the county of Will, and except that the clerks of the several county commission-

ers' courts of the counties in the senatorial districts composed of the counties of Franklin, Williamson, Jackson, Pope and Massac, in all elections for senator, shall meet at Marion, the county seat of Williamson county, to compare the polls of said election,) shall meet at the county seat of the oldest county in said district, within fifteen days next after any election for senator or representative, in any of the said districts, for the purpose of comparing the votes given at such election. In case there shall be no elder county in the district, then the said clerks shall meet, for the purpose above mentioned, at the county seat of the county that has the largest population; as shown by the census that last preceded such election.

Place of meeting.

SEC. 3. Districts formed under this act, having a senator or representative residing within the boundaries so formed, such senator or representative shall be and remain the senator or representative of the district so formed for the term during which they were respectively elected; and this act shall not be so construed as to authorize, at any one time, more senators or representatives in the Legislature than this act provides for.

Senators & representatives to serve out terms.

SEC. 4. If any vacancy shall occur in the office of any senator who shall hold over, by death, resignation, or otherwise, during the time for which he was elected, then, and in such case, the new district shall fill said vacancy, any thing in this act to the contrary notwithstanding, except when two senators shall hold over, and residing in the same district, then, and in that case, such vacancy shall not be filled by an election under this act, until after the expiration of the time for which such senators shall have been elected, unless the office of both shall become vacant as aforesaid, then the last vacancy shall be filled in manner and form aforesaid.

Vacancies.

APPROVED, February 25, 1847.

AN ACT making appropriations for the years one thousand eight hundred and forty-seven and forty-eight.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of six thousand dollars be, and the same is, hereby appropriated, as a contingent fund, to meet the contingent expenses of the State government for the years one thousand eight hundred and forty-seven and one thousand eight hundred and forty-eight; and the said fund shall be subject to the order of the Governor, for the purpose of defraying all such expenses as are unforeseen by the General Assembly, or are unprovided for by law, and a proper statement of which shall be laid before the next General Assembly of this State by the auditor, in his biennial report.

\$6000. Contingent fund.

SEC. 2. The following sums are hereby appropriated for the salaries of the several officers hereinafter mentioned, for the years one thousand eight hundred and forty-seven and one thousand eight hundred and forty-eight:

Salary of officers

1st. To the Governor, the sum of four thousand dollars.

2d. To the auditor of public accounts, for his own salary, the sum of one thousand dollars per annum; and to the said auditor,

for clerk hire, the sum of one thousand and three hundred dollars per annum; and he is hereby required to keep three clerks constantly employed in his office, during the years one thousand eight hundred and forty-seven and one thousand eight hundred and forty-eight.

3d. To the State treasurer, including clerk hire, the sum of two thousand dollars for two years.

4th. To the secretary of State, including clerk hire, the sum of two thousand dollars.

Judges of supreme court.

5th. To chief justice Wilson, and associate justices Lockwood, Browne, Treat, Thomas, Caton, Purple, Koerner and Denning, each the sum of one thousand five hundred dollars per annum.

6th. To the judge of the Cook county court, the sum of one thousand seven hundred dollars, for holding the Cook and Jo Daviess county courts.

7th. To the prosecuting attorney of said Cook county court, the sum of two hundred and fifty dollars per annum.

8th. To the attorney general, the sum of one thousand dollars.

9th. To the State's attorneys, each the sum of five hundred dollars.

10th. To the inspectors of the penitentiary, each the sum of one dollar and fifty cents per day: *Provided*, the same shall not exceed the sum of one hundred dollars per annum.

11th. To Michael Macnamara, the porter to the State officers, the sum of three hundred dollars per annum.

12th. To the secretary employed in the fund commissioner's office, the sum of eight hundred dollars.

13th. To the prosecuting attorney of the Jo Daviess county court, the sum of two hundred dollars. And it shall be the duty of the auditor of public accounts to issue his warrant on the treasurer for quarterly payments to the foregoing named officers.

Speaker of Senate and House of Representatives

SEC. 3. There shall be allowed to the speaker of the Senate and House of Representatives, each, the sum of six dollars per day, and the sum of four dollars for every twenty miles necessary travel, in going to and returning from the seat of government. To each member of the Senate and House of Representatives, the sum of four dollars per day during the present session, and the sum of four dollars for every twenty miles necessary travel, in going to and returning from the seat of government. To the secretary and assistant secretary of the Senate, and to the clerk and assistant clerk of the House of Representatives, each, the sum of five dollars per day. To the sergeant-at-arms and assistant sergeant-at-arms of the Senate, and the doorkeeper and assistant doorkeeper of the House of Representatives, each, the sum of four dollars per day. To the engrossing and enrolling clerks of the Senate and House of Representatives, each, the sum of four dollars per day. To the assistant engrossing and enrolling clerks of the Senate and House of Representatives, each, the sum of four dollars per day for the time actually employed. To the copyists of the journals of the Senate and House of Representatives, each, the sum of three dollars and fifty cents per day. And the said compensation, when due to the officers and members of the Senate, shall be certified by the secretary thereof, with the exception of his own compensation, which shall be certified by the speaker; and the compensation that may be due to the officers and members of the House of Repre-

Certificates to be made.

sentatives, shall be certified by the principal clerk thereof, and that of the clerk by the speaker; which said certificates, when made and signed as aforesaid, shall be sufficient evidence to the auditor of each person's claim respectively, who shall issue his warrant on the treasury for the amount to which such person shall be entitled, as aforesaid, to be paid out of any moneys in the treasury not otherwise appropriated. To the clerk of the Council of Revision, the sum of three dollars per day, while actually employed, to be certified by the Governor. To E. B. Washburne, former prosecuting attorney for the Jo Daviess county court, two hundred dollars, for the years one thousand eight hundred and forty-five and one thousand eight hundred and forty-six. To Lincoln B. Knowlton, the pay and mileage of a member of the Senate, during the time he was contesting his seat; the mileage and number of days' attendance to be certified by the secretary of the Senate. To Robert Bell, for services rendered as clerk of the joint select committee upon the claim of Michael Kennedy, employed by order of the Senate, twenty dollars. To the Rev. Messrs. Bergen, Hale, Dresser, Barger, Springer and Bailey, the sum of sixteen dollars, each, for their attending the Senate chamber and hall of Representatives, and rendering services as chaplains, during the present session. To each of the members of the joint select committee, appointed to, and who actually did, visit the penitentiary, the sum of twenty-five dollars. To Sarah Wall, for repairing carpets for the House and Senate, the sum of eleven dollars and twenty-five cents. To Mary Wall, for repairing carpets for the House and Senate, the sum of eleven dollars and twenty-five cents. To Thomas Connor and James Connor, the two extra hands employed for carrying wood, &c., for the use of the Senate and House of Representatives, each, the sum of one dollar per day, for the time actually employed; to be certified to the auditor by the secretary of State. To J. Cradock, for materials furnished and repairs made about the doors of the State house, as per account filed, the sum of seven dollars. To J. W. Keyes, for administering oath to the members of both branches of the present General Assembly, the sum of ten dollars. To Priest and Moore, for articles furnished and labor performed, in and about the several rooms in the State House, as per account filed, the sum of eighty-four dollars and forty-two cents. To M. Doyle, for candles, &c., for the use of the State, as per account filed, the sum of four hundred and eighty-six dollars and thirty-nine cents. To Washington Iles, for candles, &c., furnished for the use of the State, as per bill filed, the sum of six dollars and eighty-four cents. To Wallace and Diller, for half gross best matches, the sum of seventy-five cents. To E. B. Pease, for articles furnished for the use of the State, as per account filed, the sum of eleven dollars and eight cents. To Bradford and Smith, for articles furnished for the use of the State, the sum of one dollar. To James L. Lamb, for articles furnished for the use of the State in one thousand eight hundred and forty-three, as per account filed, three dollars and thirty-eight cents. To Con-dell, Jones and Co., for articles furnished for the use of the State, as per account filed, the sum of fifteen dollars and sixty cents. To D. and I. P. Spear, for articles furnished for the use of the State, as per account filed, the sum of thirty dollars and seventy-five cents. To George Spade, for labor performed and articles furnished for the use of the State, as per account filed, the sum of fifty-one dollars

and twenty-five cents. To S. M. Tinsley and Co., for articles by them furnished for the use of the State, as per account filed, the sum of four hundred and sixteen [dollars] and seventeen cents. To the secretary of State, for making index to the journals of the Senate and House of Representatives of the present session of the General Assembly, and for copying the laws and making marginal notes and index thereto, the sum of five hundred dollars. To Johnson and Bradford, for extra work in binding the Revised Laws, the sum of three hundred dollars. To Murray McConnell, four dollars and fifty cents, for one day's service as assistant clerk, pro tem. To John Hutchinson, the sum of forty-two dollars and ten cents, in full for the funeral expenses of the Hon. William Rhodes, deceased. To William Thomas, the sum of five dollars, the amount by him paid to Mr. Myers, for preparing the State house for the deaf and dumb exhibition.

APPROVED, February 28, 1847.

AN ACT making appropriations for the completion of the State house.

\$20,000 approp-
riated.

SEC. 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly*, That the sum of twenty thousand dollars be, and the same is hereby, appropriated to defray the expenses of completing the State house, one half of said sum payable in the year eighteen hundred and forty-seven, and the balance in the year eighteen hundred and forty-eight.

Governor, treas-
urer, & auditor
empowered, &c.

SEC. 2. It shall be the duty of the Governor, auditor and treasurer to cause the said building to be completed in the manner and upon the plan heretofore agreed upon, and to enclose the square with a good substantial plank fence, and immediately on the passage of this act to contract with the lowest responsible bidder for the work and materials, after giving thirty days' public notice, to be published in such papers and at such places as the Governor shall direct.

Notice.

Directions.

SEC. 3. If the amount hereby appropriated shall not be deemed sufficient to complete the whole, it shall be their duty to apply the first expenditure to the completion of the exterior, the enclosure of the grounds, and repairing the roof, and, if in their opinion it shall be advisable, to have the dome taken off.

Auditor to issue
warrants.

SEC. 4. On the order of the board of commissioners appointed in the second section of this act, it shall be the duty of the auditor to issue a warrant on the treasury for the amount ordered from time to time as may be required to make payment, under any contract said board may make; said commissioners may make one entire contract, or let it out in separate parts, as in their opinion the public interest may require.

Bond and secu-
rity.

SEC. 5. It shall be the duty of said board to furnish a plan, with specifications of the contracts proposed to be let out, and to exhibit the amount of materials on hand to be used in the execution of the work, and to require the contractors to give bond, with approved security, for the performance of their contracts.

APPROVED, February 16, 1847.

AN ACT making appropriations for the pay of certain persons therein named, acting for and under the authority of the State.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the auditor of public accounts be authorized and required to issue to the individuals hereinafter mentioned, warrants for the sums specified, to wit: Auditor to issue warrants to persons named herein.

To B. C. Webster & Co., for articles furnished for the funerals of the Hon. Wm. Hendry and the Hon. Wm. Rhodes, for twenty-seven dollars and seventy-five cents; to E. D. Taylor, for articles furnished for the funeral of Hon. Wm. Rhodes, for five dollars and sixty-two cents; to Dr. W. S. Wallace, for attendance upon Hon. Wm. Rhodes, for six dollars; to Dr. E. H. Merryman, for attendance upon Hon. Wm. Rhodes, for fifty-nine dollars; to King and Ball, for services rendered as barbers to the Hon. Wm. Rhodes, one dollar and fifty cents; to S. S. Brooks, twenty-five dollars, as assistant secretary of the Senate, under a special resolution; to Wilson and Co., of Rushville, the sum of twenty-five dollars, for coffee and sugar furnished the troops in 1844 and '5.

SEC. 2. That the Governor of this State be, and he is hereby, authorized to audit the claim of Green B. Redman, for work done on the great western mail route, under the system of internal improvements, a balance stated to be due said Redman, and on the production of evidence by said Redman to the attorney general, to be by him examined and approved, in his absence, then by the Governor, the Governor being satisfied of the justness of the claim, shall issue scrip for the amount, with interest at the rate of six per cent. per annum, allowing him back interest, if considered just and due to said Redman. Governor to audit claim of G. B. Redman. To issue scrip.

APPROVED, March 1, 1847.

AN ACT making appropriations for the pay of the officers and privates in the expedition to Hancock county, in the fall of the year one thousand eight hundred and forty-six, under Governor Ford.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the abstracts of the certificates for provisions and materials, as per certificates of John B. Weber, in the Nauvoo expedition, under Governor Ford, in one thousand eight hundred and forty-six, amounting to two thousand five hundred and eighty-two dollars and ten cents; also, the abstracts of certificates of A. Hickox, assistant quartermaster, for ammunition and provisions, amounting to seven hundred dollars and fourteen cents; also, the abstracts of the certificates for ammunition and provisions, issued by quartermaster Haverkluft, amounting to eleven hundred and forty-three dollars and twenty-six cents; also, the pay-roll of of the staff of Governor Ford; to R. H. McDonald, as captain, fifty-eight dollars and eighty-seven cents; to John M. Young, as captain, sixty dollars and ninety cents; also, the pay-roll of the company commanded by captain Allen, as per abstracts to be Abstracts of certificates of John B. Weber. Of A. Hickox. Of quartermaster Haverkluft. Staff of Gov. Ford. Pay-roll of capt. Allen's company. Abstracts to be filed.

filed in the auditor's office, amounting to eight hundred and sixty-five dollars and seventy-three cents; also, the pay-roll of the company commanded by captain J. Connelly, as per abstracts to be filed in the auditor's office, amounting to nine hundred and forty-four dollars and fifty-eight cents; also, the pay-roll of the company commanded by captain Haverkluft, as per abstracts to be filed in the auditor's office, amounting to two hundred and sixty-two dollars and thirty-eight cents; also, the pay-roll of the company commanded by captain Jackson, as per abstracts to be filed in the auditor's office, amounting to four hundred and twenty-seven dollars and twenty-four cents; also, the pay-roll of the company commanded by captain Head, as per abstracts to be filed in the auditor's office, amounting to two hundred and ninety dollars and forty-six cents; also, the pay-roll of the company commanded by captain Hopkins, as per abstracts to be filed in the auditor's office, amounting to three hundred and sixty-four dollars and four cents; also, the pay-roll of the battalion staff, as per abstracts to be filed in the auditor's office, amounting to two hundred and ninety-seven dollars and eighty-seven cents; also, the pay-roll of the officers in G. R. Weber's battalion, as per abstracts to be filed in the auditor's office, amounting to four hundred and eighty-nine dollars and twenty-four cents; after deducting any amount that has been received by any of the persons named on each or any of said pay-rolls: *Provided*, that the mounted men, to the number of fifteen, embraced in the pay-roll of captain Allen's company aforesaid, shall receive one dollar per day for their services in full, and the deduction of twenty-eight dollars and fifty-seven cents, overcharge in the allowance to captain Connelly, leaving a balance of two hundred and ninety-one dollars and forty-three cents, be, and is hereby, appropriated, to be paid to the said mounted men in captain Allen's company for the services aforesaid.

SEC. 2. On application of any person, or his agent, the auditor of public accounts shall issue his warrant on the treasury for the amount due such applicant, which shall be in full for the services rendered the State in the year one thousand eight hundred and forty-six, under the several commanders named in the first section of this act.

APPROVED, March 1, 1847.

AN ACT making partial appropriations.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the auditor of public accounts be, and he is hereby, required to draw warrants on the treasury for the sum of one hundred dollars to each member of the General Assembly, and like warrants to the speaker of each House, the secretary and assistant secretary of the Senate, the clerk and assistant clerk of the House of Representatives, each of the enrolling and engrossing clerks, each of the door-keepers and assistant door-keepers; and for the sum of fifty dollars to each of the copyists of the journals of each House, and the secretary of the Council of Re-

vision; and also to Ex-Lieut. Governor Moore, the sum of thirty dollars, for his services this session as speaker of the Senate.

SEC. 2. That any money which may now be in the treasury, or may come into the treasury previous to the first day of March, 1847, not otherwise appropriated by law, shall be applied to the payment of the expenses of the present session.

APPROVED, December 18, 1846.

AN ACT making appropriations to the individuals therein named, for subsistence, clothing, forage, and materials furnished the Illinois Militia, under the command of brigadier general John J. Hardin and major W. B. Warren, during the years one thousand eight hundred and forty-five and forty-six.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following sums of money be appropriated towards defraying the expenses attending the service of the Illinois militia, during the fall of the year one thousand eight hundred and forty-five, and part of the year one thousand eight hundred and forty-six, and that the auditor be, and he is hereby, authorised and required to issue warrants upon the treasury for the following sums of money, viz: To J. B. Kimball, for the sum of one thousand seven hundred and fifty-nine dollars and twenty-eight cents; to J. B. Kimball, as assignee of James Taylor, eleven dollars and fifty-five cents; to J. B. Kimball, as assignee of Thomas Mockbee, four dollars and fifty cents; to J. B. Kimball, as assignee of E. Fuller, for twelve dollars and fifty cents; to J. B. Kimball, as assignee of Isaac Wilson, for the sum of one hundred and fifteen dollars and thirty-nine cents; to the same, as assignee of J. F. Charles, for twenty dollars; to the same, as assignee of H. P. Southworth, for twelve dollars and fifty cents; to the same, as assignee of D. Cocklin, for sixty-five dollars and forty-three cents; to the same, as assignee of Samuel Scott, for thirty dollars; to James M. Seehorn, assignee of Calvin Cole, for thirty-five dollars and thirteen cents; to Benjamin Clarke, for the sum of nine hundred and twenty-three dollars and seventy-four cents; to the same, as assignee of William Kimbrough, for thirty-two dollars and twenty-five cents; to the same, for one hundred dollars and seventeen cents; to the same, as assignee of John Wilson, for sixty-two dollars and sixty-one cents; to the same, as assignee of David Butterworth, for thirty-five dollars and thirty-eight cents; to the same, as assignee of Frederick D. Palmer, for ten dollars and forty cents; to the same, as assignee of D. R. Fales, for two dollars and fifty cents; to J. H. Sherman, for fourteen hundred and four dollars and thirty-five cents; to the same, as assignee of Christopher Tallant, for twenty dollars; to the same, as assignee of Thomas L. Barnes, for two hundred and seventy-nine dollars; to W. T. Daisy, for fifty-one dollars and thirty-two cents; to John B. Schwindler and Wilson Lane, (for their services as guards over J. B. Backentos, from Quincy to Nauvoo, by order of Major McDougall, and for their expenses,) for twelve dollars and fifty cents, each; to William A. Hinman and William A. Richardson, assignees of Thomas D. Worsley, one hundred and one dollars; to Joseph Johnson, for five dollars; to Wilson and Wil-

liams, assignees of John White, for three dollars; to Benjamin Gallup, for seven dollars and twenty cents; to Joseph Barnes, for fifteen dollars; to Benjamin Chadsey, for thirty-five dollars; to Johnson and Bradford, assignees of J. B. Backentos, five dollars; to J. D. Rawlins, for the sum of four hundred and fifteen dollars and seventy-five cents; to Artois Hamilton, for the sum of thirteen hundred and eighty-two dollars and twenty-two cents; to the same, for thirty-seven dollars and fifty-five cents; to Taylor and Rand, for seventy dollars and eighty-three cents; to Charles Dudley, for twenty dollars; to Allen McQuary, for seventy-seven dollars and eighty-five cents; to A. W. Blakesley, for ten dollars and eighty cents; to E. Rand, for two hundred and five dollars and seventy-four cents; to W. H. Rollason, for one hundred and twenty-one dollars and five cents; to Brandt and Agnew, for nine dollars; to Alexander Simpson, for twenty-seven dollars; to Frederick Loring, for seventy-one dollars and thirty cents; to L. C. Stephenson, for one hundred and thirty-nine dollars; to William H. Randolph, for eighty-six dollars; to A. N. Thompson, for forty-eight dollars sixty cents; to Tweed and Freeman, for one hundred and forty-five dollars and fifty-five cents; to J. B. Backentos, for four dollars and seventy-five cents; to James Clarke, for five dollars; to Cernelius Hook, for eighty-one dollars and fifty cents; to M. A. Tucker, for twenty-seven dollars and fifty cents; to B. F. and F. Stephenson, for forty-one dollars; to M. Couchman, for fourteen dollars and fifty cents; to W. Kendall, for three dollars and fifty cents; to Mrs. A. B. Deming, for seventy-two dollars and ninety cents; to Mrs. H. Baldwin, for thirty dollars and fifty cents; to Mrs. H. Williams, for fifty-seven dollars and eighty-nine cents; to M. F. Peibler, for seven dollars and eighty cents; to W. Presson, for twenty-four dollars and fifty cents; to the same, for five dollars and twenty-five cents; to W. Medcalf, for six dollars; to P. Warren, for four hundred and eighty-one dollars; to F. B. Rose, for one hundred and twenty dollars; to C. S. Hamilton, for ten dollars; to Thomas Elms, for ninety-two dollars and fifty-five cents; to N. P. Tinsley and Co., for two hundred and thirteen dollars and seven cents; to R. Trabue, for one dollar and seventy-five cents; to J. E. Dunn, for five dollars and twenty-five cents; to D. S. Ames, for two hundred and fifteen dollars and fifty cents; to William Chickering, for three hundred and seventy-five dollars and ninety-two cents; to C. and S. W. Everett, for fifty-eight dollars and ninety-five cents; to John Haggard, for four dollars; to Moses Turner for fifty dollars; to A. V. Tuyle, for one hundred and fifty-one dollars and fifty cents; to Mrs. E. Smith, for nine dollars; to J. Smith and Co., for five hundred and seventeen dollars and ninety cents; to Freeman Hurst and Co., for four dollars and ten cents; to Dr. L. Evans, for ninety-four dollars and sixty cents; to T. D. Eames, for ten dollars; to K. Hockenhuill, for sixteen dollars and sixty seven cents; to Lathrop and Baneroft, for sixteen dollars and sixty cents; to J. Neeley, for thirteen dollars and seventy-five cents; to J. and S. Dunlap, for eleven dollars and eighty-three cents; to Artois Hamilton, for eight dollars; to S. M. Tinsley and Co., for three hundred and forty-eight dollars and fifteen cents; to James McCroskey for thirty-seven dollars and three cents; to J. B. Kimball, for fifty dollars; to Little and Ray, for the sum of two hundred and fifty-one dollars and sixty-five cents; to J. Currier, for the sum of fifteen dollars; Moses Ingersoll, for the sum of eight dollars; J. Catlin,

for the sum of eight dollars ; Israel Schoomaker, for the sum of three dollars and twenty-five cents ; J. H. Catlin, for the sum of ten dollars ; William D. Abernethy, for the sum of twenty-six dollars and twenty-three cents ; Joseph Worthen, for the sum of twenty-four dollars and fifty-seven cents ; Edward A. Bedell, for the sum of eleven dollars and eighteen cents ; D. Babbitt, for the sum of five dollars ; Joseph Stephens, for the sum of fifteen dollars ; Jackson Grimshaw, for the sum of thirteen dollars and sixty-six cents ; W. R. Wells, for the sum of four dollars and fifty-five cents ; J. H. Catlin, for the sum of five dollars ; J. B. Donalson, for the sum of seven dollars and sixty-eight [cents] ; John Marshall, for the sum of fifteen dollars ; E. Rand, for the sum of fourteen dollars ; T. N. Reynolds, for the sum of thirty-two dollars and ten cents ; Gould, Mellon and Spencer, for the sum of thirty-nine dollars ; John E. Johnson, for the sum of eight dollars and sixty-seven cents ; Williams and Wilson, for the sum of fourteen dollars and fifty cents ; the same, for the sum of sixteen dollars and sixty-six cents ; Samuel Chandler, for the sum of seven dollars and twelve cents ; E. Chandler, for the sum of two dollars and seventy cents ; D. Gouchenor, for the sum of four dollars and forty-five cents ; which said several warrants, when thus drawn and delivered to the individuals above named, or their assigns, agents or attorneys, shall be in full of the claims against the State of Illinois of the said individuals and their assignors, for materials furnished to, or on account of the troops called into the service of the State, during the period above mentioned, and under the command of the officers aforesaid.

SEC. 2. This act shall take effect, and be in force, from and after its passage.

APPROVED, January 22, 1847.

AN ACT making partial appropriations.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the auditor of public accounts be required to issue warrants, to the amount of one hundred dollars, to each of the members of the General Assembly, to the speaker, secretary, assistant secretary, engrossing and enrolling clerk, and doorkeepers of the Senate ; the speaker, clerk, assistant clerk, engrossing and enrolling clerk, and doorkeepers, of the House of Representatives, and to the clerk of the Council of Revision, and to each of the copyists of the journals of each House, fifty dollars.

Auditor to issue warrants to members and officers for \$100 each.

To copyists for \$50 each.

APPROVED, February 5, 1847.

AN ACT making compensation to Stevens and Trenchery, of Alton, for storage on railroad iron belonging to the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Alfred Stevens and Emil

\$400, for storage.

lius Trenchery, late composing the firm of Stevens and Trenchery, be and hereby [are] allowed the sum of four hundred dollars, in full for storage of railroad iron, belonging to the State, from the fifteenth day of November, A. D., one thousand eight hundred and forty-one, to the twenty-first day of June, A. D., one thousand eight hundred and forty-three, for which they have received no compensation.

Auditor to issue, &c.

SEC. 2. The auditor of the State of Illinois is hereby authorized and directed to issue his warrant, or warrants, for the above sums to the said Stevens and Trenchery, or their assigns.

APPROVED, February 13, 1847.

AN ACT to amend "An Act making appropriations for the pay and expenses of the Illinois militia, called into service by the commander-in-chief during the year one thousand eight hundred and forty-four," in force February twenty-sixth, one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the two hundred and seventy-eight dollars thirty-six cents, appropriated by the third paragraph of the first section of the act entitled, "An act making appropriations for the pay and expenses of the Illinois militia, called into service by the commander-in-chief during the year one thousand eight hundred and forty-four," approved on the twenty-sixth day of February, one thousand eight hundred and forty-five, to the regiment commanded by Thomas S. Brockman, shall be paid to John P. Nye, of Brown county, for the use of said regiment, to be by him paid to the several persons entitled to the same, for their services in said regiment; the correctness of the pay-roll on which said payments are to be made, to be certified by the said Thomas S. Brockman, or, in case of his death, by the surviving officer next in rank who served in said regiment.

John P. Nye, paymaster.

SEC. 2. Before receiving the auditor's warrants for said sum of money, the said John P. Nye shall file with the auditor a bond payable to the people of the State of Illinois, in the penalty of five hundred dollars, with two or more responsible freeholders as security, their sufficiency to be approved and certified by at least two of the county commissioners of Brown county, conditioned that he will, without unreasonable delay, pay over the auditor's warrants which he may receive, to the several persons entitled thereto, under the provisions of this act; which bond shall be filed by the auditor, and a copy thereof, certified by the auditor, shall be evidence in any suit or action brought upon the same.

To be evidence.

Separate actions may be maintained.

SEC. 3. Separate actions may be maintained upon said bond, and recoveries had in the name of the people aforesaid, for the use of any person entitled to any part of said sum of money; and in case said Nye shall fail or refuse to pay, on demand, any person entitled to any part of said money, such person may have his action on said bond in the name of the people to his use, before any court or justice of the peace having jurisdiction of the amount claimed by such person, and the recovery in any action brought upon said bond

shall be for the amount proved to be due the person suing, and not for the penalty of the bond.

SEC. 4. The said Nye shall, within six months after the passage of this act, transmit to, or file with, the auditor of public accounts, the pay-roll on which he may pay out the money aforesaid, with the receipts of the persons entitled to said money, for their respective portions thereof, and in case of failure, he and his securities shall be liable to an action upon the bond in favor of the people, and to a recovery in said action for the whole amount of the warrants received by him under the provisions of this act.

Pay-roll to be transmitted to auditor.

To be liable on bond.

APPROVED, February 13, 1847.

AN ACT making appropriations for purposes therein specified.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following sums are hereby appropriated to the several individuals hereinafter mentioned. To John E. Rall, for attendance on the late Hon. William Hendry during his last illness, to furnishing shroud and other materials for his corpse, to twelve days' hire of carriage, horses and two hands, in sending corpse to Adams county, and to expenses of same, \$85 00. To Josiah Francis, for coffin and air-tight box, to fifteen yards of cloth, chloride of lime, saltpetre, &c., and wrapping corpse and attending funeral with hearse, \$23 00. To Jesse R. Clark, for services as messenger to inform Mr. Hendry's family of his death, and expenses of trip, \$32 00. To William S. Wallace, for medical attendance, \$12 50.

APPROVED, February 15, 1847.

AN ACT for the relief of the persons therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following sums of money be appropriated to the persons herein named, viz: To J. J. Wickersham, fifteen dollars, for use of horse in conveying the remains of the Hon. Wm. Hendry to Adams county; to D. Hibberd, five dollars, for forage furnished gen. Hardin's troops in one thousand eight hundred and forty-five, as per voucher of quartermaster Neely; to J. B. Matthews, the sum of thirty-four dollars and ninety cents, for articles furnished the troops in the service of the State, in one thousand eight hundred and forty-four, as per voucher of the quartermaster; to Calvin Cole, the sum of twenty-two dollars, in full for services of team in transporting baggage for troops in service of the State, in one thousand eight hundred and forty-four; to J. C. Duncan, as signee of Thomas Davis, nineteen dollars and twenty-five cents; to Chancery Haskille, James Dunlap, Moses Broadwell, W. J. Deha-

D. Hibberd.

J. B. Matthews.

Calvin Cole.

J. C. Duncan.

Others.

ven, James Hope, Robert A. Likely, and George W. Johnson, each, four dollars and fifty cents; to Joel Catlin, fourteen dollars.

Warrants.

SEC. 2. That the auditor of public accounts be, and he is hereby, required to issue warrants on the treasurer for the amounts above named.

SEC. 3. This act to be in force from and after its passage.
APPROVED, February 26, 1847.

AN ACT making appropriations for the pay of the officers and privates under the command of general J. J. Hardin and major W. B. Warren, during the years 1845 and '46.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the muster and pay-rolls of the several companies of militia, called into the service of this State to aid in the execution of the laws in the county of Hancock, in the fall of one thousand eight hundred and forty-five, under the command of general John J. Hardin, also the pay-rolls of the companies which were continued in said service under the command of major W. B. Warren, also the pay-rolls of the battalion staff under said Warren, also the pay-rolls of the regimental and battalion staff under the said general Hardin, be filed with the auditor of public accounts, so that warrants may issue as hereinafter directed, for the payment of the amount due the officers and privates who were employed in said service, at the rates specified in a report of the finance committee, accompanying said pay-rolls.

Pay-rolls to be
filed with audi-
tor.
Warrants to be
issued.

Sum appropria-
ted.

SEC. 2. That the sum of seventeen thousand and sixty-five dollars and forty-three cents be, and the same is hereby, appropriated for the payment of said officers and privates, and the auditor is hereby authorized and required to draw warrants upon the treasury for the balance due each officer and private, for the time charged in said pay-roll, at the rates in said report: *Provided*, that the auditor shall not draw warrants in favor of any of said claimants, except by order of said claimant, or of his wife in said claimant's absence, or his legal representative, and if any of the officers or privates on said pay-rolls have overdrawn the amount due them, at the rates herein referred to, they shall pay such excess back into the State treasury.

Duty of the Gov-
ernor on calling
out militia.

SEC. 3. *Be it further enacted,* That whenever hereafter the Governor shall call out the militia, or call for volunteers to suppress insurrections, or to execute the laws, it shall not be lawful for the Governor, or any other officer, to receive into service any company which shall not contain at least fifty privates, or any battalion which shall not consist of at least three companies, or any regiment which shall not consist of at least two battalions, nor shall any officer be called or received into the service, unless there shall be under his command a sufficient number of privates to justify or require an officer of that rank, and if so received, shall not be entitled to pay except according to the number of men he may command, and, if at any time the number of men under his command shall be reduced by disbanding part thereof, his rank and pay shall be reduced accordingly.

SEC. 4. That the sum of six hundred dollars be, and the same is hereby appropriated to remunerate and compensate the company of volunteers raised and officered at Marshall, in Clark county, on the fifth day of June, commanded by captain Wm. B. Archer, and reported to the Governor, and received by him on the ninth day of June, as company number twenty-seven, raised for the Mexican war, and rejected by the Governor, at Alton, on the twenty-seventh day of June, A. D. 1846.

SEC. 5. Justice Harlan, Uri Manly, and Timothy R. Young, of Clark county, are hereby appointed a board of commissioners, who, or a majority of them, are authorized to settle with the subaltern officers, first and second lieutenants, non-commissioned officers, musicians and privates of said company, and shall pay them such sum as they may justly be entitled to, taking the claims of those who furnished clothing and provisions, and to those who furnished wagons, and went over with the company to Alton; make a fair, equitable and just division of the money above appropriated to all parties interested, and shall take receipts for the same, and shall render an account how and to whom the payments have been made, to the auditor of public accounts; which sum above stated shall be in full of all pay, expenses and charges incurred by said company, and those who aided as above.

SEC. 6. It shall be the duty of the auditor of public accounts, on application of said board of commissioners, (a majority of whom may act,) to issue to them a warrant or warrants on the Treasury of the State, for the amount stated above, six hundred dollars.

APPROVED, February 26, 1847.

AN ACT supplemental to an act making appropriations for the pay of the officers and privates under the command of gen. J. J. Hardin and major W. B. Warren, during the years eighteen hundred and forty-five and forty-six. In force, Feb'y 27, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Richard H. Mitchell be, and he is hereby, appointed paymaster, to receive and pay out to the persons entitled to receive them, warrants drawn on the treasury in favor of the officers and privates of captain J. D. Morgan's company, as provided for in "an act making appropriations for the pay of the officers and privates under the command of general J. J. Hardin and major W. B. Warren, during the years one thousand eight hundred and forty-five and forty-six."

SEC. 2. Before said Mitchell shall draw said warrants, he shall file in the office of the auditor of public accounts, a bond to the people of the State of Illinois, with good and sufficient security, in at least double the amount of the warrants by him received, to be approved by the Governor, conditioned for the faithful discharge of his duty in the premises, and also conditioned that he will return to the auditor proper vouchers for the amount of warrants he pays to the persons entitled to receive them, under the provisions of an act to which this is a supplement; and also conditioned that he will return to the said auditor such warrants as may remain in his hands after the expiration of one year from the passage of this act.

APPROVED, February 27, 1847.

In force, M^{ch} 1,
1847.

AN ACT to preserve the State arms.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* The quarter-master general is hereby required to cause all of the small State arms and accoutrements, at Alton, and other places where they may be found, to be removed to Springfield, and to employ some person to clean and put in order said arms for their preservation, and cause them to be put in suitable boxes and deposited in a dry room, in the State house; and to remove the State cannon and appendages, to such place or places, for safe keeping, as the commander-in-chief may direct, causing them also to be cleaned and kept housed and dry, and in charge of some responsible person or persons.

SEC. 2. The Governor and auditor shall examine the account and charges of the quarter-master general, for the labor and expenses incurred in the performance of the duty imposed on him by the foregoing section, and shall allow a reasonable and fair compensation for the same; upon which the auditor shall [issue] his warrants upon the treasurer, who shall pay the same out of any moneys not otherwise appropriated.

SEC. 3. It shall be the duty of the quarter-master general to report to the commander-in-chief the number and condition of the different kinds of arms so found, in whose charge they are placed, and the expenses incurred, who shall lay the same before the next General Assembly, at the commencement of its session.

APPROVED, March 1, 1847.

In force, Febru-
ary 25, 1847.

AN ACT in relation to the attorney general and State's attorneys.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter there shall be allowed to the attorney general and State's attorneys, and the attorneys of the Cook and Jo Daviess county courts, for their services in the circuit court, fees as follows, in the following cases, to-wit: Five per cent. upon all moneys actually collected and paid over to the State, or any county thereof, by them: *Provided,* that this act shall not extend to the collection of the revenue of this State, or any county.

APPROVED, February 28, 1847.

In force, Febru-AN ACT requiring the punctual discharge of duties by the attorney general and the
ary 25, 1847. several State's attorneys.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever the circuit

court of any county in the State shall have to appoint an attorney to attend to the duties of attorney general, or any State's attorney, during any term or part of the term of a court, because of the absence of the attorney general or State's attorney, as the case may be, and the person so appointed shall attend to and perform the duties required, the court may make an order allowing the person so appointed not less than ten nor more than twenty-five dollars for each term or part of a term of such court; a copy of which order shall be certified to the auditor of public accounts, who shall issue a warrant upon the treasurer for the payment thereof, and the amount of such warrant shall be deducted from the salary of the attorney whose duties have been performed as aforesaid.

Special attorney's compensation.

To be taken from regular salary.

APPROVED, February 25, 1847.

AN ACT to enable the auditor of public accounts to perform his duty.

In force, M'ch 1 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the auditor of public accounts shall furnish the clerks of the county commissioners' court of the several counties with blank forms of all books, lists and certificates connected with the assessment and collection of the revenue, together with proper instructions, which shall be in accordance with the provisions of the revenue laws; and the said clerks are hereby required to make out all transcripts, or other papers, for the use of the auditor's office, or the assessor, in conformity with said instructions.

Auditor to furnish blanks, books, forms, &c., to clerks of county courts.

SEC. 2. And it shall be the duty of the said auditor to complete all work that is in arrears in his office, making complete record of the forfeited lands and lots sold, and entering the lands sold for taxes since the year one thousand eight hundred and thirty-eight in the record books; and when it shall appear that the land records of any county are imperfect, or that the lists of taxable lands have not been furnished, he shall make out and forward to the clerks of the county commissioners' court, in a well bound book, a correct transcript of all the taxable lands in such county; for which service he shall be allowed three cents for each tract so entered or transcribed, to be paid by the State upon the certificate of the Governor.

Auditor to complete work in his office.

To forward a transcript to county commissioners' clk.

SEC. 3. The auditor shall cause to be collected, without unnecessary delay, all the revenue remaining due and unpaid; and when real estate shall be levied upon to satisfy any judgment in favor of the State, it shall be the duty of the officer making such levy to transmit to the auditor by mail, at least twenty days before the day of sale, a correct statement, showing the description and value of the said property; and the auditor is hereby authorized and required to purchase in the name and for the use of the State, at its cash value, so much of said property as may be necessary to pay the amount of the judgment and costs aforesaid.

All unpaid revenue to be collected.

Lands sold, auditor to purchase same for State.

SEC. 4. The auditor shall be allowed two per cent. on the amount collected for collecting any revenue due the State for the year one thousand eight hundred and forty-five and prior years,

Compensation of auditor.

which shall be collected from the persons who have failed to pay over said revenue as required by law.

SEC. 5. The auditor of public accounts is hereby authorized to estimate the amount of weeks in making tract books for the State, by John B. Weber, and to pay him two dollars per day for the work which he has not been paid for by the tract or otherwise; and hereafter the said John B. Weber may enter the errors which he has discovered in the said tract books, and the auditor shall have control of said books, and remove them to his office, so as to enable him to enter the disposition of lands as contemplated; but for such work as John B. Weber may do, in entering the errors, the auditor shall estimate and pay two dollars per day for all time actually employed, to be kept by the auditor.

APPROVED, March 1, 1847.

Auditor to pay
John B. Weber
amount due him.

In force, March
1, 1847.

AN ACT for finally closing the affairs of the State bank of Illinois.

Time extended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the president, directors and company of the State bank of Illinois be, and they are hereby, allowed the use of the charter of said bank until the first day of November, in the year one thousand eight hundred and forty-eight, in addition to the time allowed in the third section of an act of the General Assembly, entitled "An act to diminish the State debt and to put the State bank into liquidation," approved January 24, 1843, for the purpose of winding up the affairs of the said bank; the use of the charter hereby granted being subject to all the conditions, restrictions and limitations contained in the said third section, and all other portions of the said act, and all acts supplemental thereto.

Trustees to be
appointed.

SEC. 2. If the affairs of the said bank shall not be closed before the said first day of November, 1848, the Governor shall appoint three trustees, whose duty it shall be to take charge of all the assets of the said bank, and wind up its affairs, they being governed in doing so by the provisions of an act entitled "an act supplemental to an act to reduce the public debt one million of dollars and to put the bank of Illinois into liquidation," approved the 28th February, 1845, so far as said provisions are applicable.

Bank to file ac-
ceptance in sec-
retary of State's
office.

SEC. 3. The State bank of Illinois shall, within three days from the passage of this act, signify the acceptance of the provisions thereof, by a writing signed by the president and cashier under the seal of the bank, and to be filed in the office of the secretary of State.

Interest on pa-
per of bank.

SEC. 4. That all certificates issued by said bank, in pursuance of the provisions of the above recited act, and all the notes issued by said bank, and in the hands of the school commissioners of the several counties in this State, or in the hands of any treasurer of any school district, at the passage of this act, shall, from and after the 4th day of March next, draw interest at the rate of six per cent. per annum until they shall be taken up. And the said bank is hereby required to pay said interest as aforesaid.

SEC. 5. Said school commissioners and treasurers, who shall hold said certificates at the passage of this act, shall, on or before the first day of September next, report to the cashier of the bank at Springfield, the date and amount of such certificates, which report shall be verified by the oath of such commissioner or treasurer. Duty of school commissioners and treasurers.

SEC. 6. The debtors to said bank shall not be bound to pay any interest on the debts now due said bank, from and after the fourth day of March instant. Debtors to bank not to pay interest.

SEC. 7. The real estate of said bank shall be liable to taxation, and sale on execution, in the same manner as the property of individuals. Real estate of bank to be taxed.

APPROVED, March 1, 1847.

AN ACT to amend chapter sixteen of the revised statutes of this State.

In force, February 24, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter, when any justice of the peace shall be required to issue a warrant, as is now required by chapter sixteen of the revised laws of this State, the same shall be directed to, and executed by, all sheriffs, coroners, and constables in the State of Illinois, returnable before the magistrate by whom said process was issued, or, in case of his absence, before any magistrate of the county from which said process issued. Warrant; to whom directed.
To whom returnable.
 This act to be in force from and after its passage.

APPROVED, February 24, 1847.

AN ACT to amend an act, approved February 28, 1839, entitled, "An Act to provide for the dedication of town lots, in towns situated on canal lands, to public purposes." In force, February 18, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of trustees of the Illinois and Michigan canal is hereby authorized to donate a lot in the town of Ottawa, in LaSalle county, to the trustees of the Methodist Episcopal church, in said town, for the purpose of erecting thereon a house of worship. Donation of lot.

SEC. 2. The said board of trustees of the Illinois and Michigan canal is hereby invested with all the powers conferred on the board of commissioners of the Illinois and Michigan canal by said act, and all donations which may be made under this act to be on the same terms and conditions as required by the act to which this is an amendment. Terms of donation.

SEC. 3. This act to be in force from and after its passage.

APPROVED, February 18, 1847.

In force, Febru- AN ACT to allow American subscribers to the canal loan of \$1,600,000 the same priv-
ary 27, 1847. ilege or right conferred upon foreign subscribers.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the American subscribers to the canal loan of one million six hundred thousand dollars, authorized by an act entitled "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt," approved, February twenty-first, eighteen hundred and forty-three, and an act entitled "An act supplemental to an act to provide for the completion of the Illinois and Michigan canal, and for the payment of the the canal debt," approved, February twenty-first, eighteen hundred forty-three, approved, March first, eighteen hundred and forty-five, who have heretofore registered canal bonds, and evidences of canal indebtedness, at the rate of one thousand dollars in bonds and indebtedness, for every sum of four hundred dollars subscribed by them to said loan, shall have further time until the first day of May, in the year of our Lord one thousand eight hundred and forty-eight, to complete the registration of the canal bonds, and other evidences of canal indebtedness, held by them, so that each of the said American subscribers, who have registered as aforesaid, shall be entitled to register under the provisions of the above recited acts, one thousand dollars in bonds and other evidences of canal indebtedness, in the whole, for every sum of three hundred and twenty dollars subscribed by them to said loan, so as to put the said American subscribers upon an equal footing with the European subscribers who have been allowed to register canal bonds, and other evidences of canal indebtedness, at that rate, and in that proportion.

APPROVED, February 27, 1847.

Time for regis-
tering canal
bonds.

American sub-
scribers' rights.

In force, Febru- AN ACT to authorize the bringing of suits against the State trustee of the Illinois and
ary 28, 1847. Michigan canal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That in all cases where individuals or corporations had a right, under the former laws of this State, or any of them, relating to the Illinois and Michigan canal, to prosecute suits against the board of commissioners of said canal, whilst said board was in existence, such individuals or corporations shall hereafter have the right to prosecute suits in all competent courts of this State against the "State trustee of the Illinois and Michigan canal," by that name and style; the appointment of said trustee being authorized by an act entitled, "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt," approved February twenty-first, one thousand eight hundred and forty-three; such suits so to be brought against said trustee shall be prosecuted and defended in the same manner as suits heretofore authorized against said board of commissioners were prosecuted and defended; and judgment obtained*

Name and style
of suits against
canal.

against said trustee shall be of the same nature and have the same effect as judgments heretofore recovered against said board of commissioners.

SEC. 2. The said State trustee, by the name and style aforesaid, may also prosecute and defend suits in all cases, when said board of commissioners might or could have prosecuted and defended suits, so far as is not inconsistent with the act approved February twenty-first, one thousand eight hundred and forty-three, hereinbefore referred to. State trustee.

APPROVED, February 28, 1847.

AN ACT to amend an act entitled "An act for the completion of the Illinois and Michigan canal, and for the payment of the canal debt," approved, February twenty-first, 1843. In force, February 25, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of the act, to which this is an amendment, as prohibits the board of trustees of the Illinois and Michigan canal, from selling any of the lots, lands, or water power, granted to them by said act until three months after the completion of said canal, is so modified as to permit said board of trustees, and they are hereby authorized to proceed to sell any of said lots, lands, or water power, except as is hereinafter provided, before the entire completion of said canal, should they think it advisable, or for the interest of the State, to do so. Former act modified.

SEC. 2. The said trustees, together with the appraisers of canal lots, land, and water power, to be appointed in the several circuits where such lands, lots, or water power, are situated, as provided for in said act, or a majority of them, are hereby constituted a board, to determine the number of lots, and the quantity of land which the claimants of said lots and lands are entitled to purchase at the appraised value thereof, under the provisions of said act; but the action of said board shall in no way impair or prejudice the legal rights of said claimants, as now provided by law. Board to determine number of lots, &c.
Saving clause.

SEC. 3. Any sales which may be made, shall be in the same manner and upon the same terms as prescribed in the act to which this is an amendment, but may be held at such times, (not oftener than once in three months,) and at such places, as said trustees may direct: *Provided*, that said trustees shall not sell more than one-tenth of the canal property in any one city, town, or township, until after the completion of said canal, and that no sale shall be made before the first of October next. Sales, when made.
Amount of sale.

SEC. 4. After the completion of said canal, the said board of trustees may withhold such portions of timbered land, or lands containing stone quarries and coal beds, from sale, as will in their opinion best promote the interest of the State, the State creditors, and the canal fund: *Provided*, that when any *bona fide* settler residing on, or contiguous to, canal lands, shall desire to purchase any of the lands for the use of his farm, reserved as aforesaid, and shall make application to said board of trustees, they shall offer the land applied for, for the purposes aforesaid, at the next sale. May withhold timber, &c., from sale.
Exception.

Lots, &c., may
be taxed.

SEC. 5. Any lots or lands which may hereafter be sold upon a credit by said board of trustees, shall be taxed to the extent of the interest of the purchaser, and the value of improvements on said lots and lands, in the same manner as prescribed in an act entitled "An act to amend the several laws allowing Illinois and Michigan canal lands to be taxed and sold for taxes," approved, January twenty-ninth, one thousand eight hundred and forty-five: *Provided*, said board of trustees shall first signify their acceptance of the provisions of this act by notifying the Governor of the same in writing.

APPROVED, February 25, 1847.

In force, Febru-
ary 16, 1847.

AN ACT to pay the balance due canal contractors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Governor of this State is hereby directed and required to issue canal indebtedness, bearing interest from the date of the several awards, to the several contractors whose damages remain unpaid, the several amounts due them under the award of the board of appraisers, appointed pursuant to an act entitled, "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt," approved February twenty-first, one thousand eight hundred and forty-three; which said amount now to be issued shall not exceed the sum of seventy thousand seven hundred and thirty dollars and ninety-one cents.

SEC. 2. This act to take effect from and after its passage.

APPROVED, February 16, 1847.

In force, March
1, 1847.

AN ACT to amend an act, entitled "An act to amend an act, entitled an act to protect the canal lands against trespasses," approved, March 4, 1837, and an act to amend an act entitled "An act to protect the canal lands against trespasses, approved February 26, 1839," approved, February 27, 1845.

SECTION 1. [*Be it enacted by the People of the State of Illinois, represented in the General Assembly*,] That the act to which this is an amendment has been from the time of its enactment, and is now in force, and shall continue in force, subject to the amendment hereinafter made, until expressly repealed by law.

SEC. 2. Wherever the terms "acting canal commissioner," "canal commissioner," and "commissioner," occur in the act to which this is an amendment, there shall be substituted in the place, and instead of said terms, and there is hereby so substituted, the term "State trustee." "State trustee," which last term shall be construed to mean and refer to the trustee heretofore appointed, or hereafter to be appointed, on the part of this State, under the existing laws of this State, as one of the board of trustees of the Illinois and Michigan canal.

SEC. 3. The said State trustee, named in the second section of this act, shall have all the power given by the law to which this is an

amendment, to the acting commissioner of said canal; and the said State trustee shall have full power to carry into execution, all the provisions of the act to which this is an amendment, in the manner therein directed, any thing in any other law to the contrary notwithstanding. But the said State trustee shall not have power under this act, nor the act to which this is an amendment, to diminish in any manner the value of any part of the canal lands, by authorizing the taking therefrom of any standing timber, rock, stone, or coal, except as the board of trustees of said canal may now have power by law to employ all necessary materials in and about the construction of said work. Not to diminish value of canal lands.

SEC. 4. All suits, except prosecutions by indictment, commenced under this act, and the act to which this is an amendment, shall be brought in the name of the "board of trustees of the Illinois and Michigan canal," subject to all the provisions in every other respect contained in the act to which this is an amendment. Suits.

APPROVED, March 1, 1847.

AN ACT to amend an act entitled, "An act to provide for the dedication of lots in towns situated on canal land to public purposes." In force, February 26, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any religious society or congregation, to whom any lot shall have been donated or granted, under and by virtue of the act to which this is an amendment, are hereby authorized and empowered to sell any portion or the whole of said lot so donated or granted: *Provided,* the proceeds of the sale of any such lot, or part of a lot, shall be applied to the purchase of another lot or lots, to be used for the same purpose as that for which such lot was donated, or to the payment of debts already incurred for the purchase of a lot or lots for such purpose, or shall be applied to the erection of a house of worship on any lot or lots belonging to such society or congregation in the same town, or to the payment of any debts already incurred by such society in the erection of a house of worship in said town. May sell lot. Debts.

SEC. 2. The trustees of any society or congregation, who shall sell any lot, or part of a lot, under and by virtue of the provisions of the foregoing section, are hereby authorized to convey the lot, or part of a lot, sold, to the purchaser or purchasers, by good and sufficient deeds of conveyance, and the said purchaser or purchasers shall be thereby vested with a good and indefeasible title to the lot, or part of a lot, so purchased by them: *Provided, however,* that any sale or sales that may hereafter be made of the whole or any part of lot nine (9,) in block one (1,) in fractional section fifteen (15,) in the city of Chicago, by the trustees of the society or congregation to whom the same may have been donated, granted, or set apart, their successors or assigns, shall be upon the express condition that the purchaser or purchasers of said lot, or any portion thereof, his, her, or their assigns, shall not subdivide the same, except by east and west lines, so as in no event to make or suffer a south front or north rear. Deeds. Special provision.

Governor to issue patent.

SEC. 3. The Governor is hereby authorized and directed to issue, upon application to the society or congregation to whom any lot has been granted, donated, or set apart, a patent for the same, upon receiving satisfactory proof that the same has been granted, donated, or set apart for the use of said society, under and by virtue of the law to which this is an amendment; the patent, when issued, shall contain a brief statement of the purposes for which the said lot is donated. This act to take effect from and after its passage.

APPROVED, February 26, 1847.

In force, February 27, 1847.

AN ACT regulating the terms of the courts in the first judicial circuit.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the circuit court of the several counties composing the first judicial circuit, shall be held at the several county seats, or places for holding said courts, at the times following, viz :

THE SPRING TERMS.

Times of holding courts.

In the county of Morgan, on the third Mondays in March ; in the county of Scott, on the second Mondays thereafter ; in the county of Greene, on the second Mondays in April ; in the county of Cass, on the third Mondays in April ; in the county of Mason, on the fourth Mondays in April ; in the county of Menard, on the first Mondays thereafter ; in the county of Macoupin, on the second Mondays in May ; in the county of Jersey, on the third Mondays in May ; in the county of Calhoun, at the time to be appointed by the presiding judge of said court.

THE FALL TERMS.

In the county of Morgan, on the third Mondays in August ; in the county of Macoupin, on the first Mondays in September ; in the county of Jersey, on the second Mondays in September ; in the county of Greene, on the third Mondays in September ; in the county of Calhoun, on the Wednesdays after the fourth Mondays in September ; in the county of Scott, on the first Mondays in October ; in the county of Cass, on the second Mondays in October ; in the county of Mason on the third Mondays in October ; in the county of Menard on the fourth Mondays in October.

Proceed'gs commenced, or to be commenced, not affected.

SEC. 2. All indictments, suits, causes, motions, recognizances, and other proceedings, pending in said courts, shall stand for trial, hearing, judgment and disposition, at the terms of the courts as regulated by this act, in the same manner, and with the like effect, as if no changes had been made in the time of holding said courts.

SEC. 3. All recognizances, writs and process, heretofore, or hereafter entered into, or issued, returnable to the terms of the courts as heretofore arranged, shall be deemed and held to be returnable to the terms fixed by this act.

SEC. 4. New trials may be granted at the spring or fall terms of said courts, in all cases wherein the parties would be entitled to such new trials at the spring or fall terms as now arranged by law.

APPROVED, February 27, 1847.

AN ACT providing changes in the seventh and ninth judicial circuits, and for fixing the time for holding courts in the sixth and seventh judicial circuits. In force, February 27, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county of Winnebago be, and is hereby, attached to the seventh judicial circuit, and the county of Grundy be attached to the ninth judicial circuit. Winnebago co. attached to 7th circuit, and Grundy to 9th.

SEC. 2. The courts in the seventh judicial circuit shall be held in the counties thereof, at the following times, to-wit: In the county of Lake, on the fourth Monday in March, and the first Monday in September; in the county of McHenry, first Monday in April, and second Monday in September; in the county of Du Page, the third Monday in April, and fourth Monday in September; in the county of Iroquois, the fourth Monday in April, and first Monday in October; in the county of Will, the first Monday in May, and second Monday in October; in the county of Boone, the Tuesday next succeeding the third Monday in May, and the Tuesday next succeeding the fourth Monday in October; in the county of Winnebago, the fourth Monday in May, and the first Monday in November; in the county of Cook, on the second Monday in June, and the third Monday in November. Time of holding courts in seventh circuit.

SEC. 3. That the courts in said sixth judicial circuit shall be held at the following named places, to-wit: At Dixon, Lee county, second Monday in April, and third Monday in August; at Sterling, Whiteside county, on the third Monday in April, and fourth Monday in August; Cambridge, Henry county, on the fourth Monday in April, and the first Monday in September; at Millersburg, Mercer county, on the first Monday in May, and the second Monday in September; at Rock Island, Rock Island county, on the second Monday in May, and the third Monday in September; at Mt. Carroll, Carroll county, on the third Monday in May, and the fourth Monday in September; at Galena, in Jo Daviess county, on the first Monday in October, and fourth Monday in May. Times of holding courts in sixth circuit.

SEC. 4. All process, suits and recognizances which have been, or may be, issued or entered into and made returnable to the courts as at present arranged, shall be taken and considered to be returnable to the times fixed by this act, and shall be valid to all intents and purposes. Not to affect proceedings commenced, or to be commenced.

SEC. 5. Those cases now pending in the Ogle county circuit court, the venues of which have been changed from the county of Winnebago, except in cases where it appears from the record that said changes have been made in consequence of the prejudice of the inhabitants of the county of Winnebago, shall be remanded to the circuit court of Winnebago county. Disposition of cases changed from Winnebago.

Grundy term.

SEC. 6. The circuit court in the county of Grundy shall be holden at such time as the judge of the ninth judicial circuit shall appoint.

SEC. 7. All laws and parts of laws conflicting with this act are hereby repealed. This act to be in force from and after its passage.

APPROVED, February 27, 1847.

In force, February 22, 1847.

AN ACT fixing the times of holding courts in the seventh judicial circuit.

Terms.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter the circuit courts, in the several counties composing the seventh judicial circuit of the State of Illinois, shall be holden at the several times hereinafter mentioned, to-wit: In the county of Lake, on the fourth Monday in March and the first Monday in September, in each and every year; in the county of McHenry, on the first Monday in April and the second Monday in September, in each and every year; in the county of Boone, on the third Monday of April and the fourth Monday of September, in each and every year; in the county of DuPage, on the fourth Monday of April and on the first Monday of October, in each and every year; in the county of Grundy, on the first Monday of May and the second Monday of October, in each and every year; in the county of Will, on the second Monday of May and the third Monday of October, in each and every year; in the county of Iroquois, on the fourth Monday of May and the first Monday of November, in each and every year; in the county of Cook, on the first Monday of June and on the second Monday of November, in each and every year.

Terms of Cook county court arranged.

SEC. 2. That so much of the act creating the Cook county court as requires terms of the said court to be held on the first Mondays in August and November, be, and the same is hereby, repealed, and the term of said court shall be holden commencing on the first Monday of October, in each and every year; and so much

Of Jo Daviess county court.

of the act creating the Jo Daviess county court, as requires a term of the said court to be held by the judge of the Cook county court on the first Monday in October, be, and the same is hereby, repealed, and instead thereof, a term of said court shall be held by said judge, commencing on the second Monday of November, in each and every year; that so much of the act fixing the time of holding courts in the sixth judicial circuit, as requires a court to be held in Jo Daviess county on the fourth Monday in October, is hereby repealed, and said term shall be hereafter holden on the third Monday in October, in each year.

Exchange of circuits.

SEC. 3. That it shall be lawful for the associate justice of the supreme court, presiding in the aforesaid circuit, and the judge of Cook county court, by agreement or exchange, to hold any of the courts authorized by law to be holden in said circuit, or in said Cook county court, and whenever special jurisdiction is conferred upon the circuit court, the same shall be taken to extend to, and include the, Cook county court.

SEC. 4. That all writs, process, and recognizances which have ^{Proceedings} been or may be issued, or entered into, and made returnable to, the ^{saved.} several circuit courts in said circuit, as heretofore arranged or fixed, or as at present fixed, or to any special term thereof, and suits and continuances therein which are now pending or undisposed of, shall be taken and considered to be returnable to the terms fixed by this act, and shall be as valid to all intents and purposes as though made returnable thereto.

SEC. 5. This act to take effect from and after its passage; and the State printer is directed to publish the same immediately thereafter, and the secretary of State to transmit a copy thereof immediately to the clerk of each circuit court in the seventh judicial circuit.

APPROVED, February 22, 1847.

AN ACT changing the time of holding the circuit courts in the second judicial circuit. ^{In force, February 13, 1847.}

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the circuit courts in the second judicial circuit shall be held at the times hereinafter mentioned. ^{Terms of court.} In the county of Madison, on the third Mondays of March and August; in the county of St. Clair, on the second Mondays after the third Mondays of March and August; in the county of Monroe, on the fourth Mondays after the third Mondays of March and August; in the county of Randolph, on the Mondays following; in the county of Perry, on the Mondays following; in the county of Washington, on the Mondays following; in the county of Clinton, on the Mondays following; in the county of Bond, on the Mondays following; in the county of Fayette, on the Fridays following; in the county of Effingham, on the Thursdays following; in the county of Montgomery, on the Mondays following.

SEC. 2. All writs, subpoenas and other process which may have been, or may be issued, made returnable to the terms of courts in said circuit as heretofore required to be holden, shall be deemed and taken to be returnable to said terms of courts as required to be holden under this act; and all notices which may have been given, either by publication or otherwise, with reference to the terms as heretofore required to be holden, shall by force of this act refer to the terms of courts as required to be held under this act; and all proceedings pending in any of said courts, shall be taken up and disposed of according to law, as if no alteration had been made in the times of holding said courts. ^{Proceedings not affected.}

SEC. 3. This act shall, upon its passage, be published in the paper of the public printer, and the secretary of State shall immediately thereafter transmit a copy thereof to each of the clerks of said courts.

SEC. 4. All acts and parts of acts, conflicting with the provisions of this act, are hereby repealed. This act to take effect from and after its passage.

APPROVED, February 13, 1847.

In force, February 16, 1847. AN ACT more explicitly defining the times of holding courts in the fourth judicial circuit.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the circuit courts of the fourth judicial circuit shall commence in the several counties at the times hereinafter specified, and continue from day to day (Sundays excepted) until all the business is disposed of, unless it shall be necessary to adjourn the court to enable the judge to attend in the next county to hold court.

Times of holding courts.

SEC. 2. In the county of Wayne, on the Thursday before the first Mondays of April and September; in the county White, on the first Mondays of April and September; in the county of Edwards, on the second Mondays in April and September; in the county of Wabash, on the Thursdays thereafter; in the county of Lawrence, on the Wednesdays thereafter; in the county of Crawford, on the Wednesdays thereafter; in the county of Clark, on the Mondays thereafter; in the county of Coles on the Mondays thereafter; in the county of Cumberland, on the Mondays thereafter; in the county of Jasper, on the Thursdays thereafter; in the county of Clay, on the Mondays thereafter, and in the county of Richland, on the Thursdays thereafter.

Proceedings not to be affected.

SEC. 3. All indictments, recognizances and suits, either at common law or in chancery, shall stand for hearing at the times herein specified for holding court, the same as though no change had taken place, and all writs and other process, civil or criminal, shall be, and they are hereby, made returnable, the same as if there had been no change in the times of holding said courts; and all returns heretofore made, or that may hereafter be made, either according to this act or the acts hereby repealed, shall be taken to be returnable to the terms of court as hereby fixed, and shall be legal and valid in all respects, as if no change had taken place.

Repeal'g clause.

SEC. 4. All acts, and parts of acts, coming in the purview and in conflict with this act, be, and the same are hereby, repealed, and this act shall be in force from and after its passage.

APPROVED, February 16, 1847.

In force, February 13, 1847.

AN ACT supplemental to an act entitled "An act extending the limits of the fifth judicial circuit, and fixing the times for holding courts therein," approved, February 5th, 1847.

Previous act amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the act to which this is a supplement, be, and the same is hereby, so amended, that the time for holding the fall terms of the circuit courts in the county of Hancock, shall commence on the *first* instead of the "second" Friday after the commencement of the said courts in the county of Brown; and that the word "*first*" shall be substituted and stand for the said word "second," in the position or place before referred to in the act to which this is a supplement.

APPROVED, February 13, 1847.

AN ACT to attach the county of Shelby to the eighth judicial circuit, and for other purposes. In force, February 11, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, [That] the county of Menard shall hereafter be attached to, and form a part of, the first judicial circuit, and courts shall be held therein as provided for by law.* Menard county attached to first circuit.

SEC. 2. The county of Livingston shall hereafter be attached to, and form a part of, the ninth judicial circuit, and courts shall be held therein at such times as the judge of said circuit shall appoint. Livingston attached to ninth circuit.

SEC. 3. The county of Shelby shall hereafter be attached to, and form a part of, the eighth judicial circuit, and the times of holding courts in said circuit shall be as follows: In the county of Sangamon, on the third Mondays of March and November, and the fourth Mondays of July; in the county of Tazewell, on the first Wednesdays of April and September; in the county of Woodford, on the second Thursdays thereafter; in the county of McLean, on the Mondays thereafter; in the county of Logan, on the Mondays thereafter; in the county of DeWitt, on the Thursdays thereafter; in the county of Piatt, on the Mondays thereafter; in the county of Champaign, on the Wednesdays thereafter; in the county of Vermilion, on the Mondays thereafter; in the county of Edgar, on the Mondays thereafter; in the county of Shelby, on the Mondays thereafter; in the county of Moultrie, on the Mondays thereafter; in the county of Macon, on the Thursdays thereafter; in the county of Christian, on the Mondays thereafter; and all writs, recognizances, and other process, which have been or may be issued, or entered into, and made returnable to any of the said courts, as at present arranged, shall be deemed and considered as returnable to the terms fixed by this section; and all cases and proceedings, whether civil, criminal, or in chancery, pending in any of the said courts, shall be taken up and disposed of according to law, as if no alteration had been made in the times of holding said courts: *And Provided*, that no grand jury shall be summoned to attend the summer term of the Sangamon circuit court. Shelby attached to 8th circuit.
Times of holding courts in 8th circuit.
Not to affect proceedings commenced, or to be commenced.
No grand jury for summer term in Sangamon co.

APPROVED, February 11, 1847.

AN ACT to attach the county of Boone to the seventh judicial circuit.

In force, February 13, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the county of Boone be, and the same is hereby, attached to, and for all judicial purposes, shall form part of, the seventh judicial circuit of this State. The judge of said seventh judicial circuit, is hereby required to hold courts in the said county of Boone, at such times as shall hereafter be prescribed by law.* Boone county attached to 7th circuit.

SEC. 2. All laws, and parts of laws, that shall come in conflict with this act, are hereby repealed. Repealing clause.

SEC. 3. This act shall take effect from and after its passage.

APPROVED, February 13, 1847.

In force, March
1, 1847.

AN ACT to limit the time for persons to bring claims against the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all persons having unliquidated claims against the State of Illinois, from any cause whatever, shall make out all the vouchers, and present the claim, together with his own affidavit of the correctness of the same, previous to the first day of January, eighteen hundred and forty-nine, and have the same filed in the office of the secretary of State, so that future Legislatures may know what unliquidated claims do exist against the State, and the grounds upon which they are founded.

Canal claims to
be proven.

SEC. 2. The unliquidated claims arising from the canal, shall all be proved up by witnesses, before the State trustee on said canal, which shall embrace all the testimony relating to said unliquidated claims, and no further testimony shall be allowed to be brought in, to substantiate said unliquidated claims, after they are once filed as above.

Internal im-
provem't claims
before auditor.

SEC. 3. All unliquidated claims, arising from the internal improvement system, shall be proved up the same as before mentioned, before the auditor of public accounts, and file the same as above; and any persons having unliquidated claims, shall prove the same before the auditor and file the claim and proof in like manner.

Claims barred, if
not filed.

SEC. 4. Any persons having unliquidated claims against the State, who do not prove the same up, and file them as above, shall not be entitled to have them considered after that date; and hereafter all unliquidated claims against the State, shall be proved up and filed as above, within two years from the time such claim may have arisen; and any claim not presented and proved up as above, and filed, shall be forever barred from payment by the State.

Certificate.

Testimony.

Perjury.

SEC. 5: The person hereby empowered to hear testimony, shall certify all proceedings had before him, under his hand, shall administer oaths to witnesses, who shall testify the truth in all cases, and for a violation, or for false swearing, in reference to any claim, the person so swearing shall be punished according to the law in such cases.

SEC. 6. This act to be in force from and after its passage.

APPROVED, March 1, 1847.

In force, Febru-
ary 24, 1847.

AN ACT supplemental to an act entitled, "An act to authorize the appointment of commissioners in other States," approved March 1, A. D. 1845.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the acknowledgment and proof of the execution of any deed, mortgage, or other conveyance of any land, tenements, or hereditaments, lying and being in this State, or of any contract, letter of attorney, or any other writing under seal, to be used or recorded in this State, which have been or may hereafter be taken or made in the manner directed by the

act entitled, "An act to authorize the appointment of commissioners in other States," approved March first, eighteen hundred and forty-five, and certified by any one of the commissioners appointed or to be appointed under said act, before whom the same shall be taken or made, shall have the same force and effect, and be as good and valid in law, for all purposes, as if the same had been taken or made before any officer authorized to take such acknowledgments or proof residing in this State.

SEC. 2. Every commissioner appointed, or to be appointed, by virtue of the act to which this is a supplement, shall have power and authority to administer an oath or affirmation to any person who shall be willing and desirous to make such oath or affirmation before him; and such affidavit or affirmation made before such commissioner shall be as good and effectual to all intents and purposes as if taken by any officer authorized to administer oaths or affirmations resident in this State: *Provided*, that wilful and false swearing in taking such oath or affirmation would, by the laws of the State wherein the same shall be made, be deemed perjury.

APPROVED, February 24, 1847.

AN ACT to provide for the call of a convention.

In force,
Feby. 24, 1847.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That an election for members to the convention to revise, alter, or amend, the constitution of the State of Illinois, shall be held on the third Monday of April, in the year of our Lord one thousand eight hundred and forty-seven; the several judges of election, in the several precincts of each county in said State, shall, upon the day above mentioned, open the polls of their respective precincts, in the manner prescribed by law, for the election of members of the General Assembly, at the same places at which the polls were opened for the election of the members of the present General Assembly, and shall receive the votes of all electors who are qualified by law to choose members of the General Assembly. The electors shall be entitled to vote for as many persons as shall be entitled to a seat in said convention by the provisions of this act, which votes shall be taken in the same manner as is now prescribed by law in elections for members of the General Assembly.

SEC. 2. The clerks of the county commissioners' court shall give the same notices, the county commissioners' court shall have the same power to appoint judges of elections, the judges of elections shall have the same power to appoint clerks of election, as is now prescribed by law for giving of notices, appointment of judges and clerks of election, in the election of members of the General Assembly. The judges and clerks of election, before entering upon the duties of their offices, shall take the oath prescribed by law for judges and clerks of election, and all vacancies in said offices shall be filled in the manner now fixed by law for the filling of such vacancies.

162 delegates.

Counties.

SEC. 3. The number of members in such convention shall be one hundred and sixty-two, to be apportioned amongst the several counties in this State, and voted for by the qualified electors of such counties in the following manner, viz: the county of Adams, three members, and Adams and Marquette, together, one member; Alexander and Pulaski, together, one member; Bond, one member; Boone, one member; Brown, one member, and Brown and Schuyler, together, two members; Bureau, one member; Calhoun and Jersey, together, one member; Carroll and Ogle, together, one member; Cass, one member; Champaign and Vermilion, together, one member; Christian and Shelby, together, one member; Clark, two members; Clark, Edgar, and Coles, together, one member; Clay, one member; Clinton one member; Coles, two members; Cook, five members; Crawford, one member; Cumberland and Effingham, together, one member; De Kalb, one member; De Witt, one member; Du Page, one member; Du Page and Will, together, one member; Edgar, two members; Edwards and Wayne, together, one member; Fayette, two members; Franklin, one member; Fulton, four members; Gallatin, two members; Greene, three members; Grundy and La Salle, together, one member; Hamilton, one member; Hancock, five members; Hardin and Gallatin, together, one member; Henderson one member; Henry and Knox, together, one member; Iroquois and Will, together, one member; Jackson, one member; Jasper and Crawford, together, one member; Jefferson, one member; Jersey, one member; Jo Daviess, three members; Johnson, one member; Kane, three members; Kendall, one member; Knox, two members; Lake, two members; La Salle, two members; Lawrence, one member; Lee, one member; Livingston and McLean, together, one member; Logan, one member; McLean, one member; Mason, one member; Macoupin, two members; McDonough, one member, and McDonough and Warren, together, one member; McHenry, two members; McHenry and Boone, together, one member; Madison, four members; Marshall and Stark, together, one member; Marion, one member; Perry, Washington, and Clinton, together, one member; Marquette, one member; Macon and Piatt, together, one member; Massac, one member; Menard, one member; Mercer, one member; Montgomery, one member, and Montgomery and Bond, together, one member; Moultrie and Shelby, together, one member; Morgan, four members; Monroe, two members; Ogle, one member; Peoria, two members, and Peoria and Fulton, together, one member; Perry, one member; Pike, four members; Pope, one member; Putnam, one member; Randolph, two members; Richland, one member; Rock Island, one member; Sangamon, four members; Scott, two members; Schuyler, one member; Shelby, one member; St. Clair, four members; Stephenson, two members; Tazewell, two members; Union, one member; Vermilion, two members; Wabash, one member; Warren, one member; Washington, one member; Wayne, one member; Jefferson, Marion, and Hamilton, together, two members; White, two members; White-side, one member; Woodford, one member; Winnebago, two members; Williamson, one member, and Williamson, Franklin, and Jackson, together, one member, and Will, two members.

Disposition of
the votes.

SEC. 4. The several judges of election shall return the votes given at said election, and the returns shall be canvassed in the

same manner as is now provided by law for the return of votes and the canvassing thereof in elections for members of the General Assembly; and certificates of election shall be given to the persons entitled thereto by the same officer and in the same manner as members of the General Assembly now receive the same; and in case of contested elections to the convention, the contending candidates shall pursue the same course, and be governed by the same rules, as are now provided by law in contested elections to the Legislature of this State.

Certificates of election.

Contested elections, how determined.

SEC. 5. The members chosen shall meet in convention at the capitol, in the city of Springfield, on the first Monday in June, in the year of our Lord one thousand eight hundred and forty-seven. They shall be the judges of their own privileges and elections, and the members thereof shall have the same privileges to which members of the General Assembly are entitled; and shall, by ballot, elect one of their number president, and may appoint one or more secretaries, a printer, and such doorkeepers and messengers as their convenience shall require; and such members of the convention shall be entitled to the same mileage for travel, and the members and secretaries the same per diem allowance, as is now paid to members of the Legislature; and the printer, doorkeeper, and messengers shall receive the same compensation as the same officers receive from the present General Assembly. The amount due each person shall be certified by the president of the convention to the auditor of public accounts, who shall issue warrants upon the treasurer of the State, and the same shall be paid by the treasurer in the same manner as other warrants are paid. It shall be the duty of the secretary of State to attend said convention at the opening thereof, and he, and all public officers, shall furnish such convention with all such papers, statements, books, or other public documents in their possession, as the said convention shall order or require, and it shall be the duty of the secretary of State to furnish the members with all such stationery as is usual for the Legislature whilst in session.

Convention to meet at Springfield.

To be judges of their own privileges.

President, secretaries, printer, and officers.

Pay and mileage.

Compensation to be certified by president.

Sec'y of State to attend at opening of convention: his, and other officers', duties.

SEC. 6. The proceedings of said convention shall be filed in the office of the secretary of State, and the amendments, revisions, or alterations to the constitution, agreed to by the said convention, shall be recorded in his office. The said amendments, revisions, or alterations, shall be submitted by the convention to the people, for their adoption or rejection, at an election to be held on the fourth Monday of October, in the year of our Lord one thousand eight hundred and forty-seven, and every person entitled to vote by the constitution and laws now in force, may vote thereon, in the election district in which he shall reside, and not elsewhere. The amendments shall be so prepared and distinguished by numbers or otherwise, that they can be voted upon separately, and they shall be so voted upon, unless the convention shall be of opinion that it is impracticable to prepare them so that they can be voted upon in that manner; and if the said convention shall, by resolution, declare that in its judgment the amendments, revisions, or alterations cannot be prepared so as to be voted upon separately, they shall be voted upon together. In either case, the convention shall prescribe the form or manner of voting, the publication of the alterations, revisions, or amendments, and the notices to be given of the election.

Proceedings, where filed. Amendments, &c., to be recorded in secretary's office.

To be submitted to people on 4th Monday in October.

Who may vote.

How prepared.

Convention may prescribe form and manner of voting on amendments.

Duties of judges of election. At the election mentioned in this section, the judges of election shall receive the votes in the form to be prescribed by the said convention; and all the provisions of the laws of this State in relation to the election of officers at a general election, shall apply to the voting upon said amendments, revisions, or alterations, so far as the same can be made applicable thereto; and the votes given upon said alterations, amendments, or revisions, shall be given and canvassed, and all proceedings shall be had in regard to them, as nearly as practicable, in the manner prescribed by law in respect to votes given for Governor. It shall be the duty of the Governor to lay before the General Assembly, in joint meeting, at its next session, the vote for ratifying or rejecting said constitution, or any part thereof; and if it shall appear to said General Assembly, in such joint meeting, that a majority of all the votes given have accepted the constitution so amended, or any part thereof, they shall, by a joint resolution, declare said constitution to be the supreme law of the land, and the former constitution abolished; but if it shall appear that a majority of votes were given against the said constitution, or any part thereof, then the same shall be null and void: *Provided*, that if the convention shall fix upon any other time for holding the election, or the manner of canvassing the votes for or against said amended constitution, and for its taking effect, then such manner as is pointed out by the convention shall be adopted.

What proceedings shall be had. Governor to lay vote before Legislature.

Duty of the Legislature.

Proviso in favor of convention.

False swearing: how punished.

Public printer to print 10,000 copies of this act. Sec'y of State to transmit to clerks.

SEC. 7. All wilful and corrupt false swearing in taking any of the oaths prescribed by this act, or by the laws of this State made applicable to this act, or any other mode or form in carrying into effect this act, shall be deemed perjury, and shall be punished in the manner now prescribed by law for wilful and corrupt perjury.

SEC. 8. The public printer is hereby authorized to publish ten thousand copies for distribution by the members of the Legislature. The secretary of State shall cause to be transmitted to the several clerks of the county commissioners' courts in this State, such a number of copies of this act as shall be sufficient to supply the several officers who are to perform duties under this law, and the said clerks shall distribute the same to such officers.

APPROVED, February 20, 1847.

In force, Feb'y 17, 1847.

AN ACT to legalize the deeds made by the county commissioners of Sangamon county, conveying the public square to the State.

Absolute title.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the deeds heretofore made by the county commissioners of Sangamon county, to the Governor of this State, for the use of the people of this State, conveying the public square in the city of Springfield, on which the State house now stands, be, and the same are hereby, declared to be legal and valid, and shall vest in the State, the full and complete title, in fee simple, to the said public square in the city of Springfield, on which the State house now stands.

APPROVED, February 17, 1847.

AN ACT to amend the twenty-fourth chapter of the revised laws entitled "conveyances." In force,
Feb'y 22, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all deeds and conveyances of lands lying within this State, may be acknowledged, or proved, before either of the following named officers, to wit: Any judge or justice of the supreme or district court of the United States; any commissioner to take acknowledgements of deeds; any judge or justice of the supreme, superior, or circuit court of any of the United States, or their territories; any clerk of a court of record; mayor of a city, or notary public; but when such proof or acknowledgement is made before a clerk, mayor, or notary public, it shall be certified by such officer under his seal of office. Such proofs and acknowledgements may also be made before any justice of the peace; but if such justice of the peace reside out of this State, there shall be added to the deed a certificate of the proper clerk, setting forth that the person, before whom such proof or acknowledgement was made, was a justice of the peace at the time of making the same. If such justice of the peace resides within this State, the certificate of the clerk of the county commissioners' court, of the proper county, under his seal of office, that the person taking such proof or acknowledgement, was a justice of the peace at the time of taking the same, shall be deemed sufficient evidence of that fact; if such justice reside within the county where the lands conveyed are situated, no such certificate shall be required. All deeds and conveyances which have been, or may be, acknowledged or proved in the manner prescribed in this section, shall be entitled to record, and be deemed as good and valid in law, in every respect, as if the same had been acknowledged or proved in the manner prescribed in the sixteenth section of the twenty-fourth chapter of the revised laws, to which this act is an amendment.

Officers before whom acknowledgments may be taken.

Certificates of official character.

Entitled to record.

SEC. 2. When any feme covert, not residing in this State, being above the age of eighteen years, shall join with her husband in the execution of any deed, mortgage, conveyance, or other writing of, or relating to, any lands or real estate, situate within this State, she should thereby be barred of, and from, all estate, right, title, interest and claims of dower therein, in like manner as if she was sole, and of full age. And any such feme covert, joining with her husband in the execution of a power of attorney or other writing, authorizing the sale, conveyance, or other disposition of lands or real estate, as aforesaid, shall be bound and concluded by the same, in respect to the right, title, claim, or interest in such estate, as if she were sole and of full age, as aforesaid; and the acknowledgement or proof of such deed, mortgage, conveyance, power of attorney, or other writing, may be the same as if she were sole, and shall entitle such deed, mortgage, conveyance, power of attorney, or other writing, to be recorded as is authorized by this act; and the provisions of this section shall apply to deeds, mortgages, conveyances, powers of attorney, and other writings heretofore, as well as those which may hereafter be, executed.

Deed of feme covert valid.

SEC. 3. That deeds, mortgages, conveyances, powers of attorney, or other writings of or concerning lands, or real estate, situated within

Deeds &c., acknowledged in other States.

this State, which have [been] or may hereafter be executed without this State, and within the United States, and which have been, or may hereafter be, acknowledged or proved, in conformity with the laws of the State, territory, or district, in which they were executed, shall be admitted to record in the county or counties wherein the lands or real estate affected are situated; and such deeds, mortgages, conveyances, powers of attorney, or other writings, acknowledged or proved as aforesaid, when so recorded, may be used as evidence, without further proof of the execution thereof.

This act to take effect from and after its passage.

APPROVED, February 22, 1847.

In force,
Febry. 16, 1847.

AN ACT to fix the pay of county commissioners.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the county commissioners' courts of the several counties in this State may, by an order of said court, allow to each commissioner any sum not exceeding two dollars and fifty cents per day for each day's attendance in holding courts.

APPROVED, January 16, 1847.

In force,
Febry. 27, 1847.

AN ACT to change the name of the county of Marquette, to organize the same, and to attach a portion of the county of Adams thereto, to provide for the collection of revenue therein, and for other purposes therein mentioned.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the county heretofore known by the name of Marquette county, shall hereafter be known and called by the name of Highland county.

SEC. 2. All that part of the now county of Adams, lying east of a line commencing at the northwest corner of section two (2), in township two (2), north of the base line, and range seven, west of the fourth principal meridian, running thence due south, on said sectional line, eighteen miles, to the township line running between townships one and two south, thence east on said township line, two miles, to range line between range six and seven west, as aforesaid, be, and the same is hereby, attached to, and made a part of, the county of Highland, as aforesaid.

SEC. 3. There shall be an election held in the said county of Highland, on the first Monday of April next, in all the precincts of said county, as laid off by the county of Adams, for all the county officers of the county of Highland, including two justices of the peace, and two constables, for each of said precincts, which said election shall be held and conducted, in all respects, as required by the general election laws of this State, as is now provided by law: *Provided, however,* the county commissioners' court of Highland county, shall, at their first session in and for the county of Highland, determine by lot, as is now provided by law, their respective terms of office, so that the one shall expire on the first Monday of

August next, and one on the first Monday of August, eighteen hundred and forty-eight, and one on the first Monday of August, eighteen hundred and forty-nine; and in case of a contest of any of the offices named, it shall be determined according to the laws concerning contested elections.

SEC. 4. Within five days after said election is held, the judges of said election shall make returns of the poll-books thereof, to Wesley D. McCann, at his office in the town of Columbus, in said county of Highland, or, in case of his death or absence, to James A. Bell, at his office in said town of Columbus, who, together with two justices of the peace of said county, shall meet within eight days from the said day of election, at the office of the said Wesley D. McCann, or James A. Bell (as the case may be), and then and there open and compare said poll-books and returns, as aforesaid, and do and perform all such acts as are required by the laws of this State, where returns are made to the clerk of the county commissioners' court; and the said Wesley D. McCann, or James A. Bell (as the case may be), are hereby required to perform all such duties, in relation to said returns, as the clerks of the county commissioners' courts are required to do and perform under the election laws of this State.

SEC. 5. Sections one, four, six, nine, eleven, twelve, thirteen, fourteen, fifteen, sixteen, and seventeen, of "An act to create the county of Marquette, and for other purposes therein mentioned," approved February eleventh, eighteen hundred and forty three, be, and the same are hereby, declared a part of this act, except the name Marquette, wherever it occurs in said sections, it shall be so changed as to read Highland, and except the boundaries of Marquette county, as fully as if the same were set out in full, and incorporated into this act; and sections two, three, seven, eight, eighteen, nineteen, twenty, twenty-one, twenty-two, and twenty-three, of said act, are hereby repealed.

SEC. 6. The county commissioners of said county, shall hold their first court in the town of Columbus, in said county of Highland, and the courts of justice for said county, shall be holden in said town of Columbus, as aforesaid, until provision by law shall be made to hold them elsewhere.

SEC. 7. As soon as the said county of Highland is organized, the school commissioners of the county of Adams, shall deliver and pay over to the school commissioners of the county of Highland, all the school funds belonging to the several townships in the county of Highland, and all moneys, notes, and mortgages, appertaining to the same, and, also, all moneys and interest arising from the school, college, and seminary fund, which may belong to the county of Highland; and the auditor of State is hereby authorized to pay over to the school commissioners of the county of Highland, all moneys which heretofore have been, and may hereafter be, due and set apart to the county of Marquette, as the portion of the school fund due said county.

SEC. 8. All letters of administration which have been, or may hereafter (before the organization of the county of Highland) be, granted by the probate justice of the peace of the county of Adams, upon estates lying and being in the county of Marquette or Highland, are hereby declared as legal, as if letters, as aforesaid, had

Contest : how determined.

Poll-books : when and where returned.

When and how compared.

Parts of former act in force.

Exceptions.

Parts of former act repealed.

County courts : when and how first held.

School funds : how, & to whom, paid over.

Auditor of state to pay over certain funds.

Letters of administration : how and where settled.

been granted in the county of Marquette, and the same shall be settled in the county of Adams, as fully as if in said county of Marquette; and the liabilities of executors, administrators, and their securities, are hereby declared the same as if letters had been granted by a probate justice of the peace, in and for the county of Marquette; and all deeds, mortgages, and other instruments in writing entitled to be recorded by the laws of this State, which have heretofore been recorded in the recorder's office of Adams county, affecting or relating to real or personal property, lying and being in the county of Marquette, or which shall hereafter be recorded in said recorder's office, affecting property in the county of Highland, before the organization of said county, be, and the same is hereby declared, as valid as if they were recorded in the county of Marquette, or Highland; and all acknowledgements of deeds, and other instruments in writing, which have heretofore been acknowledged by the justices of the peace of the county of Marquette, and all official acts of said justices of the peace, shall be as valid as if said justices had been duly elected and qualified as justices of the peace of the county of Marquette.

Liability of executors, &c. **SEC. 9.** The assessor of taxes, in and for the county of Highland, for the year eighteen hundred and forty-seven, shall, at the same time that he makes the assessment for the year eighteen hundred and forty-seven, also make an assessment for the year eighteen hundred and forty-six; and the collector of the county of Highland shall collect the amount of State tax for said year eighteen hundred and forty-six, at the same time, and in the same manner, as for the year eighteen hundred and forty-seven: *Provided*, said assessor, in making said assessment for said year eighteen hundred and forty-six, and the collector, in collecting said tax, shall only make and collect the same upon property which was in, and owned in, said county of Marquette in the year eighteen hundred and forty-six; and for the purpose of ascertaining the amount of personal property so owned as aforesaid, the assessor is hereby empowered to administer an oath to each person liable to be taxed, as aforesaid, and require him or her to answer, on oath, what amount of property he or she respectively held, subject to taxation for the year eighteen hundred and forty-six; and upon refusal to answer, under oath, as aforesaid, the assessor shall be governed as is now provided by law, as in case of refusal.

Deeds, &c., recorded in Adams county, valid. **SEC. 10.** That the said county of Highland shall be, and remain, attached to the county of Adams, for all judicial purposes, up to the time fixed for the organization of said county of Highland, and until the time for the officers to qualify, as herein provided, and not thereafter.

Justice of peace: former acts of, declared valid. **SEC. 11.** In case the said county of Highland shall not organize within the time allowed in this act for the said county of Highland to organize, the tract of land, by this bill, attached to said county of Highland, from the county of Adams, aforesaid, by the second section of this act, shall be and remain a part of the county of Adams.

Assessor: his duties. **SEC. 12.** In case the said county of Highland shall not organize within four months from the passage of this act, it shall be the duty of the Governor of this State to appoint some suitable person or persons to assess and collect all arrearages of taxes due the State of Illinois, and now accruing in the said county of Highland; said as-

Collector: his duties.
What property declared taxable.
Personal property: amount of, how ascertained.
Attached to Adams county for judicial purposes.
Refusal to organize: effect of.
If not organized, Governor to appoint assessor and collector.

sessors and collectors giving bond and security, as the law now requires to be given by assessors and collectors of the revenue of the State, and having the same rights and powers, discharging the same duties, and being in like manner liable, as assessors and collectors now are by the laws of the State of Illinois.

Their duties and liabilities.

SEC. 13. The election for county officers, as provided in the third section of this act, shall be held on the third Monday in April next, as is provided in said section, said election to be held and conducted in the same manner as therein provided; and it is hereby made the duty of the person to whom the returns of said election is made to meet the county commissioners' clerk of the county of Adams, at his office in Quincy, within four days after the returns are made to him, for the purpose of comparing the vote and ascertaining who has received a majority of votes for joint members, from the counties of Adams and Highland, to the convention of this State, and deliver a certificate to the person elected, and transmit a transcript of said votes to the secretary of State; and the said person, to whom the return of the election of Highland county is made, shall make out and deliver to the person elected to the convention of this State from said county, a certificate of election, as aforesaid.

Election for co. officers: when to be held.

Returns of, for joint members to convention, when, where, and how, made.

Sec. 14. This act shall be in full force and effect from and after its passage,

APPROVED, February 27, 1847.

AN ACT to correct and legalize the census of Tazewell county.

In force,
Janry. 26, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the enumeration of the inhabitants of the county of Tazewell, as made by George Parker, Samuel Rhodes, Catesby Gill, Alexander B. Davis, John Durham, Jr., Jefferson Britt, and Anthony Vincent, being one person from each election precinct in said county, appointed by the county commissioners' court of said county, on the sixth day of March, eighteen hundred and forty-six, for the purpose of correcting supposed errors in the return of the commissioner appointed to take the census of eighteen hundred and forty-five, be, and the same is hereby, legalized.

Enumeration of George Parker, and others, legalized.

SEC. 2. The returns as made by the above named persons to the county commissioners' court of said county, on the ninth day of April, eighteen hundred and forty-six, show the actual number of persons in said county to be nine thousand one hundred and nine, instead of seven thousand six hundred and fifteen, as returned by the commissioners appointed by law to take the census of eighteen hundred and forty-five; which number of nine thousand one hundred and nine is, by this act, deemed to be the true enumeration of the inhabitants of said county, and to all intents and purposes of as full force and effect as though the same had been done as provided by chapter nineteen of the "Revised Statutes."

Number of inhabitants.

SEC. 3. The interest arising from the school, college and seminary funds, shall be distributed to said county, and the apportionment of representation made upon the enumeration of nine

School, college, and seminary funds: how to be distributed.

thousand one hundred and nine, instead of seven thousand six hundred and fifteen, as returned to the office of the secretary of State; and the "auditor of public accounts" is hereby required, when the next distribution of school funds is made, to issue his order to the collector of Tazewell county for the amount which said county has failed to receive, on account of the error in the census returns of said county.

APPROVED, January 26, 1847.

In force, AN ACT supplemental to an act entitled, "An act for the assessment and collection of
Febry. 28, 1847. revenue for Hancock county, for 1845, 1846, and 1847."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the eleventh section of an act entitled, "An act for the assessment and collection of revenue for Hancock county, for 1845, 1846 and 1847," approved January 26, 1847, be, and the same is hereby, repealed.

SEC. 2. This act to take effect and be in force from and after its passage.

APPROVED, February 28, 1847.

In force, AN ACT establishing a term of the circuit court in the county of Jo Daviess.
March 1, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That a term of the circuit court shall be held at the city of Galena, in the county of Jo Daviess, on the second Monday of March of each year, as heretofore.

APPROVED, March 1, 1847.

In force, AN ACT to change the time of commencing the terms of the circuit courts of Massac
Febry. 27, 1847. county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter the circuit courts in and for the county of Massac, shall be commenced and held on the Thursdays following the first day of the terms of the circuit courts of Johnson county, so that there shall be three days of court in the said county of Johnson, and one week at each term in Massac county.

Process, when returnable. SEC. 2. All writs and process issued and made returnable to the circuit court of Massac county, as now organized by law, shall be taken and deemed to be returnable to the term of said court, as provided for in this act. This act to be in force from and after its passage.

APPROVED, February 27, 1847.

AN ACT extending the limits of the fifth judicial circuit, and fixing the times of holding courts therein. In force,
Febry. 5, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county of Pike be, Pike county at-
tached to 5th cir-
cuit. and the same is hereby, attached to, and made part of, the fifth judicial circuit of this State.

SEC. 2. That hereafter the circuit courts in said circuit shall be held as follows: In the county of Fulton, on the second Monday Times of hold-
ing courts. in March; in the county of Schuyler, on the second Monday thereafter; in the county of Pike, on the first Monday thereafter; in the county of Brown, on the second Wednesday thereafter; in the county of Hancock, on the first Monday thereafter; in the county of Henderson, on the second Monday thereafter; in the county of Warren, on the first Monday thereafter; in the county of Knox, on the first Monday thereafter; in the county of McDonough, on the first Monday thereafter; in the county of Adams, on the first Monday thereafter; in the county of Fulton, on the second Monday in August; in the county of Schuyler, on the second Monday thereafter; in the county of Pike, on the first Monday thereafter; in the county of Brown, on the first Monday thereafter; in the county of Hancock, on the second Friday thereafter; in the county of Henderson, on the second Monday thereafter; in the county of Warren, on the first Monday thereafter; in the county of Knox, on the first Monday thereafter; in the county of McDonough, on the first Monday thereafter; in the county of Adams, on the first Monday thereafter.

SEC. 3. All indictments, informations, recognizances, suits, Proceedings. motions, writs, process, and proceedings of every description, civil, criminal, and in chancery, which have been, or shall hereafter, and within the time limited by this act, be commenced, returnable to, or pending in any of the circuit courts in the said judicial circuit, shall be continued over, returnable to, and pending in the said circuit courts, respectively, at the time or times by this act established for holding each of the said circuit courts; and no such Not vitiated. indictment, information, recognizance, suit, motion, writ, process, or proceeding shall, for such reason, be quashed, set aside, dismissed, held void, or in any manner affected or avoided on account of the change hereby made in the time of the holding of the said courts, or any of them.

SEC. 4. No right which any party, plaintiff or defendant, in any Rights preserv-
ed. action of ejectment had by virtue of any law now in force, to a new trial in such action, shall be prejudiced, or in any manner taken away by any change or alteration made by this act in the time of holding courts in any of the counties in said judicial circuit; but new trials shall be granted during the spring and fall terms of said court, in all cases where parties would be entitled to new trials at said terms, if the times of holding said courts had not been changed.

SEC. 5. The secretary of State shall forthwith, on the passage of this act, cause to be printed and transmitted to each of the clerks of the circuit courts in said circuit, ten copies of the same.

APPROVED, February 5, 1847.

In force,
Feb'y 20, 1847.

[AN ACT to establish district courts in the State of Illinois.

Court established.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That there shall be, and hereby is, created and established a district court in and for each judicial circuit of the State of Illinois, to be called the district court in and for the ——— judicial circuit, which shall be a court of record, and shall be held by the judge of the circuit, in such part of his circuit as may be convenient and suitable.
Jurisdiction.	SEC. 2. The said district court shall have jurisdiction in all criminal cases arising in said circuit on indictment, as hereinafter specified.
Governor's duty.	SEC. 3. The Governor of the State of Illinois, whenever he is satisfied that it is essential to preserve law and order, and put down rebellion or mobs, or combinations to prevent the execution of law, shall require, by notice in writing, the said judge of the district court in which district such illegal and criminal offences may be committed, to call a term of such district court, within thirty days after such requisition and notice; and it shall be the duty of said judge immediately to fix upon a time and place of holding said district court, within the period aforesaid, and to issue a precept to each of the sheriffs of the several counties in his judicial circuit to summon, from each of said counties, a fair proportion, to be fixed by said judge, of grand and petit jurors for said district court; the said judge shall cause notices of the time and place of holding said district court to be put up at three of the public places in each of the counties of his judicial circuit, one of which notices shall be placed on the outer door of the court house, in each of said counties.
Jurors.	
Qualifications of Jurors.	SEC. 4. The said jurors shall possess the same qualifications that are required for jurors now by law, except as to residence: <i>Provided</i> , that they shall be residents of said judicial circuit, and the said district court shall have power to summon talesmen of said circuit, if there may not be, at any time, sufficient jurors in attendance.
Talesmen.	
Grand jury.	SEC. 5. The grand jurors shall be sworn, and proceed in all respects in procuring and hearing testimony in behalf of the people of the State of Illinois, and finding bills of indictment as in circuit courts; except that they shall not have power to try cases coming up from any part of said district, except from the county or counties which are set forth in the proclamation of the Governor as being in a state of riot, or combination against the laws.
Circuit attorney to be notified.	SEC. 6. The state's attorney of said judicial circuit shall be notified of the time and place of holding said district court, by said judge, and shall act as prosecutor for the people at said court; and the said court shall have power to appoint a prosecuting attorney, <i>pro tem</i> , or an assistant prosecuting attorney; which prosecutor <i>pro tem</i> , or assistant prosecuting attorney, shall be allowed for his services during the term, not exceeding two hundred dollars, to be certified by the judge, and paid out of the treasury.
Prosecutor.	
Marshal.	SEC. 7. The said judge shall appoint a marshal, who shall execute such bond, with such security as the said judge may require, to conform as near as may be to the official bonds of sheriffs;

the said marshal shall perform all the official duties in said district, re-Duties. quired of sheriffs, in their respective counties, in criminal cases.

SEC. 8. The judge shall also appoint a clerk, who shall execute Clerk. such bond, and with such security as the judge may require, to con-Bond. form as near as may be to the official bonds of clerks of the circuit court; the said clerk shall perform all the official duties in said dis-Duty. trict court, that are required of clerks of the circuit court in criminal cases.

SEC. 9. The process of said district court shall be issued to the Process: how marshal, and may be executed by him, and all the sheriffs and con-served. stabiles of the State of Illinois. It shall be tested in the name of said clerk, and under his private seal until a public seal is provided.

SEC. 10. In case the time fixed by the said judge for holding said district court, shall interfere with the time of holding circuit court in any county of his said circuit, it shall be the duty of the said judge
1. fy the clerk of said circuit court thereof, which clerk of such circuit court shall cause notice to be posted up in every precinct of such county, that the said circuit court will not be held; and the said Circuit court may be dispens- ed with. circuit court of said county shall stand adjourned to the next regular term thereof, and all cases and matters pending therein continued.

SEC. 11. If the said judge of the said circuit court shall, from Another judge may attend. any cause, be unable to attend the said district court, any other judge of the circuit courts of this State may perform the duties with like power and jurisdiction; and the judge of said district court shall have power to call to his assistance, at said court, any other circuit judge in said State.

SEC. 12. All the rules, proceedings, and practice, in said dis-Rules and prac- trict court shall conform as near as may be to the rules, proceedings, tice. and practice of circuit courts in the State of Illinois in criminal cases, and the judgments shall be of the same form and effect, and all the provisions of the criminal code shall be complied with, so far as may be applicable to said district court.

SEC. 13. The said judge may, whenever he deems it necessary to execute process, or enforce order, direct the said marshal to sum-Posse. mon such posse as said judge may think proper, to aid and protect the court in exercising the laws and giving persons charged with offences an impartial trial; which posse shall be allowed one dollar, each, per day, for their services, to be certified by the judge, and paid out of the State treasury.

SEC. 14. When any person or persons who may be indicted in any county circuit court, for any crime or misdemeanor, shall afterwards be indicted for the same offence in said district court, before trial in said circuit court, the said indictment in said district court shall operate as a *nolle prosequi* upon said indictment in said circuit Nolle prosequi. court. But nothing in this act shall be construed as depriving the circuit court, of the proper county, of concurrent jurisdiction with said district court, at any time when said district court is not in session.

SEC. 15. The said judge shall have power to adjourn from day Adjournment. to day, and from time to time, until all cases pending in the said district court are disposed of.

SEC. 16. All costs, fines, penalties and forfeitures, had or taken Costs, fines and before said district court, shall enure to the benefit of the State of recognizances.

Illinois; and cognizances taken and forfeited in said court may be sued upon in any county circuit court, where the cognizors, or any of them, reside.

SEC. 17. Where imprisonment is a part of the punishment, the defendant may be imprisoned in any jail in said circuit, and the said marshal may confine any person in his custody in any of said jails for safe keeping.

Writs of error.

SEC. 18. Writs of error to the supreme court of said State, shall be allowed from said district court, in all respects, as from circuit courts.

Fees.

SEC. 19. The marshal shall be allowed for his services the same fees as are allowed sheriffs for similar services, in civil cases. The clerk the same fees as are allowed clerks of the circuit court for similar services in civil cases. The grand and petit jurors, and witnesses in behalf of the people, one dollar each per day, and one dollar for every twenty miles necessary travel in going to and returning from said court; all of which fees shall be certified by said judge, and paid out of the State treasury.

Presumptions.

SEC. 20. After trial and verdict, the same presumptions exist in favor of the jurisdiction of said district court, and the same regularity of its proceedings, that exist in favor of the proceedings and jurisdiction of circuit courts of this State.

Custody of records.

SEC. 21. After the adjournment of said district court, the papers, records, and proceedings of said court, shall be preserved by said clerk, or by such person as the said judge may designate, for their safe keeping, by order of said district court.

APPROVED, February 20, 1847.

In force,
Feb'y 11, 1847.

AN ACT allowing persons arrested on criminal charges to remove the place of examination, as therein provided.

Manner and
grounds of
change.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That when any person is arrested on any criminal charge, and taken before any justice of the peace for examination, he or she shall have the privilege of removing said examination from before said justice, upon filing an affidavit that said justice is so prejudiced against him or her that he or she believes they cannot have a fair and impartial investigation before said justice; and upon the filing of said affidavit, it shall be the duty of said justice to transmit all the papers connected with, or growing out of, said examination, to the next nearest acting justice of the peace, or, in case of his absence or sickness, before any other justice of the peace of the next adjoining precinct in the county, who shall proceed to hear and determine the matter as though the same had been originally commenced before him: Provided, the constable having the defendant in charge shall hold him in his custody until the complaint shall be heard and disposed of by the justice to whom the papers shall be sent as aforesaid.

Constable's duty

APPROVED, February 11, 1847.

AN ACT making further provisions for the education of the deaf and dumb.

In force,
Feb. 23, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the appropriation in aid of the funds of the Illinois asylum for the education of the deaf and dumb shall be, and the same is hereby, increased three thousand dollars annually, and the auditor of public accounts is hereby authorized and required annually to issue his warrant on the treasurer for the same, which shall be paid out of any money not otherwise appropriated: *Provided,* that the Legislature may at any time repeal this act.

Appropriation
increased.

APPROVED, February 23, 1847.

AN ACT to amend the seventh section of the thirty-seventh chapter of the revised laws of one thousand eight hundred and forty-five, in relation to elections.

In force,
Feb'y 23, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the seventh section of the thirty-seventh chapter of the revised statutes of A. D. one thousand eight hundred and forty-five, be, and the same is hereby, so amended, as to give the county commissioners of the several counties in this State, power and authority to establish more than one set of judges of election in such precincts in their respective counties, when, in their opinion, the same may be necessary, for the purpose of receiving votes at all general or special elections; and the said county commissioners may appoint as many sets of judges of election, in any precinct in their counties, as, in their judgment, may be necessary for the convenience of the voters: *Provided,* they shall not establish more than one set of judges of election in any precinct where less than three hundred votes are usually polled at a general election. This act to be in force from and after its passage.

Judges of elec-
tion increased.

Restriction.

APPROVED, February 23, 1847.

AN ACT to amend "An act changing the stray law," approved March third, eighteen hundred and forty-five.

In force,
Feb'y 23, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no horse, mare, colt, mule, or ass, shall be taken up and posted between the first day of April and first day of November, unless the same be found out of the range of the proper owner, or within the lawful fence or inclosure of the taker up, having broken in the same, or manifestly running away from the owner.

SEC. 2. That from and after the passage of this act, no person who is not a householder of the county, shall be permitted, under the law to which this is an amendment, to take up and post any estray animal enumerated either in this act or the act to which this is an amendment. This act to take effect from and after its passage.

APPROVED, February 28, 1847.

In force,
Feb'y 27, 1847.

AN ACT to provide for the apprehension of fugitives from justice.

Reward for fugi-
tives.

Proviso.

County to pay
expenses.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be lawful for the county commissioners' courts of the several counties in this State, by an order to be entered upon their records, to fix upon a sum not exceeding one hundred dollars, as a reward to be paid to any person who shall hereafter pursue and apprehend, beyond the limits of the county where the offence shall have been committed, any person guilty of any felony or other high crime, which reward shall be paid by the county where the offence was committed, on the conviction of the criminal: *Provided, nevertheless,* that said reward shall not disqualify the person entitled thereto from being a witness.

SEC. 2. It shall be lawful for the county commissioners' courts of the several counties in this State, to enter an order upon their records, allowing to any person or persons, who shall have aided or assisted in the pursuit or arrest of any person or persons suspected or accused of any felony, or other high crime, committed in their county, such reasonable sum as said county commissioners shall deem just, to defray the expenses of the person or persons in aiding or assisting in the pursuit or arrest of such offender or offenders, in making such pursuit or arrest; which sum so allowed, shall be paid out of the county treasury, in the same manner that other county expenses are paid.

APPROVED, February 27, 1847.

In force,
Feb'y 27, 1847.

AN ACT to amend chapter forty-one of the revised statutes in relation to fees, approved, March 3, 1845.

Fees of sheriff
for summoning
jurors.

Repeal'g clause.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county commissioners' court of any county in this State, may, if they shall deem it expedient to do so, allow the sheriff of their county any sum, not exceeding ten dollars, for summoning the grand and petit jurors, for each term of the circuit court; which sum, when so allowed, shall be paid out of the county treasury, upon the order of said court, and shall be in full for said service.

SEC. 2. So much of the law now in force, entitled "fees and salaries," as relates to sheriffs' fees for summoning grand and petit jurors, be, and the same is hereby, repealed. This act shall be in force from and after its passage.

APPROVED, February 27, 1847.

AN ACT to raise the fees of grand and petit jurors.

In force,
Feb'y 4, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That from and after the passage of this act, instead of the compensation now allowed by law, there shall be paid to each and every juror, grand and petit, the sum of one dollar, for each day's attendance at court, to be allowed and paid \$1 per day, as already provided by law.

SEC. 2. And there shall also be allowed and paid to grand and petit jurors, for every mile of necessary travel, to be computed from the place of holding courts, to the residence of the juror, five cents per mile, to be paid out of the county treasury, as now provided for by law, for the payment of grand and petit jurors.

SEC. 3. Section 16 of the act concerning jurors, approved, Repealed clause. March 3d, 1845, be, and the same is hereby, repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

APPROVED, February 4, 1847.

AN ACT to authorize the Governor to pay William E. Armstrong and others the amount of a certain judgment.

In force,
Feb'y 27, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Governor of this State is hereby authorized, and required, to pay to William E. Armstrong, Governor to pay money. William L. Perce, Jacob Claypool, and Perry A. Claypool, late contractors on section one hundred and twenty-six (126), of the Illinois and Michigan canal, the sum of one hundred and fifty-one dollars and fifty cents, with interest on the same from the second day of October, one thousand eight hundred and forty-four.

SEC. 2. The said payment shall be made in the same kind of funds which has heretofore been paid to contractors, for damages on the said canal, under the act of the General Assembly, approved, February the twenty-first, one thousand eight hundred and forty-three, and when so paid, to be in full satisfaction of a judgment rendered in favor of the said Armstrong, Perce, Claypool, and Claypool, before the hon. R. M. Young, in the circuit court of Grundy county, at the September term, one [thousand] eight hundred and forty-three. This act to take effect and be in force from its passage.

APPROVED, February 27, 1847.

AN ACT to authorize the repairing of the Governor's house.

In force,
Feb'y 11, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the secretary of State is

Duty of secretary of State. hereby required to contract with some suitable mechanic to repair the house formerly occupied by the Governor of Illinois, in the city of Springfield, to paint the same inside and out, build a new well-house, repair the fencing around the lot, and repair the floors, plastering, hearths, windows, base, and all other repairs necessary to make said house a comfortable and convenient residence for the Governor's family.

Kind of repairs.

SEC. 2. When the work shall have been completed, and received by the secretary, he shall certify the amount due the contractor or contractors; upon the presentation of said certificates, the auditor of public accounts shall draw his warrant on the treasurer for the amount due said contractors, as certified by the secretary of State as aforesaid.

Payments.

APPROVED, February 11, 1847.

In force,
Feb'y 4, 1847.

AN ACT to authorize the Governor to pay certain drafts held by Messrs. Lyon and Howard.

Duty of Governor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* The Governor is hereby directed and required to pay Messrs. Lyon and Howard, in internal improvement scrip, bearing interest in the usual form, the amount, with interest, of certain drafts drawn by the commissioners of internal improvements upon the fund commissioner of the State of Illinois for work done on the Illinois river improvement, said drafts being numbered, respectively, seven hundred and eighty-eight, seven hundred and eighty-nine, seven hundred and ninety, seven hundred and ninety-one, seven hundred and ninety-three; the payment to be made as soon as said Lyon and Howard shall deliver to the Governor the drafts now held by them, duly receipted: *Provided*, that the scrip issued for the interest due upon said drafts shall not bear interest.

Proviso.

APPROVED, February 4, 1847.

In force,
March 1, 1847.

AN ACT to authorize the Governor to refund certain moneys.

Governor required to issue certificates to certain canal contractors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Governor is hereby authorized and required to issue certificates of canal indebtedness to such contractors as received portions of one hundred and forty-two State bonds, from the board of commissioners of the Illinois and Michigan canal, from which one of the coupons for six months interest was detached, for the sum of thirty dollars on each bond received as aforesaid, and upon which no allowance has been received.

APPROVED, March 1, 1847.

AN ACT to incorporate the Illinois literary and historical society.

In force,
Feb'y 11, 1847.

WHEREAS, the members of a society, instituted at Upper Alton, July, 1843, for the purpose of collecting, preserving, and diffusing information, relating to the history of Illinois in particular, and of American history generally, have applied for an act of incorporation,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Cyrus Edwards, president, Sydney Breese, J. B. Turner, William T. Brown, Jesse B. Thomas, J. W. Browning, vice presidents, and Adiel Sherwood, J. M. Peck, and M. G. Atwood, secretaries, and such other persons as are now, and may, from time to time, become members of said society, be, and they are hereby, declared and constituted a body corporate and politic, by the name of "The Illinois literary and historical society," and by that name shall have perpetual succession, and be capable to sue and be sued, to plead and be impleaded, answer and be answered unto, defend and be defended, in all courts or places whatsoever; to have a common seal, and to alter it at pleasure; to make a constitution, and such by-laws, not repugnant to the constitution and laws of this State, or of the United States, as shall from time to time be necessary; to annex to the breach thereof such penalty, by fine or expulsion, as they may deem fit; and to purchase, take, receive, hold, and enjoy, to them and their successors, any goods, chattles, lands, tenements, to sell, lease, or dispose of the same at pleasure: *Provided*, that the clear annual income of such real and personal estate shall not exceed five thousand dollars: *And* *Provided, also*, that the funds of said corporation shall be used for the purposes only, stated in the preamble of this act.

Officers and
members incor-
porated.
General powers.

SEC. 2. *And be it further enacted by the authority aforesaid,* That said society shall have power to elect and qualify such officers as they may deem necessary, who shall hold their offices according to the constitution and by-laws of the society.

Officers.

SEC. 3. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Governor of the State to deliver to the agent of the society, a set of the acts and journals of the present and future sessions of the Legislature, and of those passed from the organization of the State, if any spare copies are found in the secretary's office, and copies of all other documents that shall be printed by its order, and that said society, by its agents, may have access, at all reasonable times, to the several public offices of this State, and of the corporate towns and cities thereof; and may cause such documents as they may judge proper to promote the objects of the society, to be searched, and copied, under the direction of the keepers of said records, without paying any office fees.

Journals, &c., to
be furnished by
sec'y of State.

To have free ac-
cess to records.

SEC. 4. *And be it further enacted,* That this act shall be a public act, and shall be construed benignly and favorably, for every beneficial purpose, and no misnomer of said corporation, in any deed, will, devise, gift, grant, or other instrument of conveyance, shall vitiate or defeat the same: *Provided*, the intention of the parties, from the instrument itself, can be ascertained.

Public act.

Saving clause to college. SEC. 5. *And be it further enacted,* That should the said society at any time become extinct, the books, maps, charts, manuscripts, and all the property belonging to the same, shall be preserved in the custody of the librarian of Shurtliff college, for the benefit of the future historian of the State.

Saving clause to State. SEC. 6. In case the society, hereby incorporated, shall become dissolved, all the donations made prior to such dissolution, to said society, by the State, shall thereupon revert to, and become the property of, the State.

APPROVED, February 11, 1847.

In force,
March 1, 1847.

AN ACT to establish the Illinois State hospital for the insane.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* There shall be established, as soon after the passage of this act as shall be practicable, at, or within four miles of, the town of Jacksonville, in the county of Morgan, in this State, an institution to be styled and known as the Illinois State hospital for the insane.

Persons incorporated. SEC. 2. That Joseph Morton, James Dunlap, John J. Hardin, John Henry, Samuel D. Lockwood, William Thomas, Bezeleel Gillett, Nathaniel English, and Owen M. Long, of Morgan county, shall constitute a body politic and corporate, by the name and style of the "Trustees of the Illinois State hospital for the insane," who shall manage and direct the concerns of the institution, and

By-laws. make all necessary by-laws and regulations for their own governance as may not be inconsistent with the laws and constitution of this State; they shall have power to hold, dispose of, and convey all real and personal property conveyed to them by gift, devise, or otherwise, for the use of the institution; they shall serve without

Compensation. compensation, and shall serve as follows, to be determined among them by lot, viz: Three of them shall serve for one year, three for two years, and three for three years, from the passage of this act, and until their successors are appointed and qualified; and at the expiration of the respective terms of office, the vacancies shall be

Appointments. filled by appointments for three years, to be made by the Governor of the State. Should any vacancy occur, by death, resignation, or otherwise, such vacancy shall be filled by the Governor by an appointment for the unexpired term of the trustee whose place was thus vacated. The said trustees shall have charge of the general

Superintendent. interest of the institution; they shall appoint the superintendent, assistant physician, and steward, and fix the amount of their salaries.

Physician. The superintendent shall be a skillful physician, and shall be appointed for a term of two years, during which time his salary shall not be reduced; he shall be subject to removal only for infidelity to the trust reposed in him, or incompetency to the discharge thereof; he shall be a married man, and with his family reside in the institution. The trustees, by and with the advice and consent of the Governor, shall make such by-laws for the government of the institution as shall be necessary. They shall appoint a treasurer,

who shall give bond to the Governor and his successors in office, for the use of the people of the State of Illinois, for the faithful discharge of the duties of his office; they shall determine his compensation for services, also the salaries of such other officers and assistants as may be necessary to the able and economical administration of the affairs of the institution.

SEC. 3. The said trustees are authorized to purchase or obtain, by grant or otherwise, not exceeding three hundred acres of land, situated as aforesaid, which said tract of land shall have a never-failing supply of water on the premises, and be conveniently situated for necessary supplies of fuel. For the purpose of securing said land, if necessary, as also for the purpose of erecting and constructing the hereinafter described buildings, and meeting such expenditures as may be incidental to the erection and completion of the said hospital and appurtenances, there is hereby appropriated the proceeds of a tax on all the taxable property in this State, the one fifth of a mill on the dollar's worth of such taxable property; which said tax shall be continued for three years, and shall, in addition to the taxes now provided by law, be levied as other taxes are now raised and paid into the treasury, to be disbursed as hereinafter provided.

SEC. 4. At any time after the said site shall have been secured, not exceeding three months, the said trustees shall contract for the erection of the necessary buildings and out-houses, and the improvement of the ground appertaining thereto, on the most improved plans, having reference to commendable prudence: *Provided*, that the hospital building shall be constructed in the most approved manner, of brick or unhewn stone, the partition walls to be brick, and to contain flues for heating, ventilators, and also water pipes; the roof to be fire proof.

SEC. 5. The said trustees, on or before the first day of the meeting of the General Assembly of this State, at every session thereof, [shall] lay before each branch of the same, an exact account of all the contracts, expenditures and liabilities which they shall have incurred or authorized in the execution of their duties, with vouchers for the same; and in case of their failure to do so, their authority to issue on the State treasury to cease; and the trustees shall so construct and complete the said buildings, out-houses, and improvements, as the same may accommodate two hundred and fifty patients and the necessary attendants; and the whole cost of so doing shall not exceed sixty thousand dollars.

SEC. 6. The said trustees shall, before entering upon the duties of their office, give bonds, with such security as may [be] required by the Governor, for the faithful and proper application of the funds placed in their hands, and performance of their duties.

SEC. 7. The treasurer of the State is hereby directed to receive from the collectors of the several counties in this State, the moneys arising from the tax levied by this act, and to keep secure the same as a separate fund, to be styled and known as "the fund for the insane," and shall therefrom pay out to the said trustees, on the warrant of the Governor, such sums of money as they may require for buildings and improvements contemplated by this act, not exceeding the amount of said fund, at such times as the same may be required; and the said Governor and treasurer shall make reports

Governor and treasurer to report. of their transactions, in connection with the said disbursements, at their so reporting: *Provided*, that the money constituting the said fund shall, under no circumstances, be applied to any other purpose than those now herein provided for.

Power of Superintendent. SEC. 8. The superintendent shall appoint and exercise entire control over all subordinate officers and assistants in this institution, and shall have entire direction of the duties of the same.

To take and hold lands, &c., donated. SEC. 9. The said trustees and their successors in office shall have power to take and hold in trust, for the use and benefit of the institution, any grant or devise of lands, and any donation or bequest of money or other personal property, to be applied to the maintenance of insane persons in or to the ordinary purposes of the institution.

Admission of inmates. SEC. 10. The admission of insane patients from the several counties of this State shall be in proportion to the population of the same: *Provided*, that each county shall be entitled to send at least one insane patient.

Indigent persons. SEC. 11. Indigent persons and paupers shall be charged for medical attendance, board and nursing, while inmates of this institution, no more than the actual cost attending the same. Paying patients, not chargeable to the counties, shall pay such sum or sums, for the privileges of the institution, as shall be determined upon by the trustees.

Insane paupers. SEC. 12. The county commissioners' courts of the several counties of this State shall have authority to send to this institution such insane paupers in their county, as they may deem proper subjects; and on so doing, shall provide, in advance, the costs and charges attending the treatment of such insane pauper, to be paid to the proper officer of the institution.

Power of courts. SEC. 13. The courts of this State shall have power to commit to this institution any person who, having been arraigned upon a charge of any capital or felonious offence, has been found by the jury to have been and to be insane at the time of such arraignment; the expenses of

Insane persons. such person so committed, if in indigent circumstances, shall be paid by the county in which he or she may have resided at the time of the commission of the alleged offence; it shall be the duty of the court, however, in all cases, to ascertain the condition of such person, and the nature and intent of his or her property, if he or she have any, and certify the same to the trustees of the institution;

Mode of payment. and if such person have no property, then certify to the said trustees the name of the county in which such person resided at the time of the commission of the offence charged. In all cases where such person shall be possessed of property, real or personal, in his or her own right, and the same is certified to the trustees as herein provided, a lien is hereby declared to exist on all such property in favor of said trustees from the time of the arrest of such person, or, if not arrested before indictment found, then from the date of the finding of such indictment, to the extent of the regular charges of the institution, for the care and attention bestowed on such person.

Lien upon property. County comm'rs SEC. 14. If the county commissioners of any county, or the person to whom any patient sent to this institution is chargeable, shall neglect or refuse, upon demand made, to pay to the trustees the expenses, ordinary and extraordinary, of such patient, the

trustees are authorized and empowered to collect the same by proceedings in any court of competent jurisdiction.

SEC. 15. If any person shall apply to the circuit court of any county in this State for the commitment to this institution of any insane person within the jurisdiction of the same, it shall be the duty of such court to inquire into the fact of insanity as is now provided by law, and if such court shall be satisfied that such person is, by reason of his or her insanity, unsafe to be at large, or is suffering from unkindness, cruelty, hardship, or exposure, it shall thereupon commit such insane person to this institution, making inquiry as to his or her property, and certifying as hereinbefore provided, the expenses of such person, to be defrayed precisely as is pointed out in the thirteenth section of this act.

SEC. 16. In admitting patients into this institution, the indigent insane in this State shall always have precedence; and while the provisions of the institution are not sufficient to meet all applications for admission, recent cases shall have preference over those of chronic character.

SEC. 17. The Governor, justices of the supreme court, and members of the legislature, shall be ex-officio visitors of the institution.

SEC. 18. This act shall take effect and be in force from and after its passage.

APPROVED, March 1, 1847.

AN ACT to amend the law in relation to jails and jailors.

Enacted In force,
Feb'y 28, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly*, That it shall be the duty of the several sheriffs and jailors in the several counties in this State, to furnish, for the use of the jails of their respective counties, a sufficiency of good blankets and bedding, for the comfortable lodging of all persons that may, from time to time, be confined therein; and it shall also be the duty of said sheriffs or jailors to keep their jails clean, and in such order and condition as will not endanger the health of persons that may be confined therein.

SEC. 2. It shall be the duty of the county commissioners' courts of the several counties in this State, to make such an allowance, from time to time, out of the county treasury, as shall be just and right, for the articles required to be furnished, as is provided for in the first section of this act.

SEC. 3. Any sheriff or jailor who shall fail or refuse to comply with the provisions of the first section of this act, shall be liable to indictment, and, upon conviction thereof, be fined in any sum not exceeding fifty dollars, before any court having jurisdiction of the same.

SEC. 4. So much of the existing laws as allow sheriffs or jailors thirty seven and a half cents per day for dieting prisoners, be, and the same is hereby, repealed; and hereafter the county commissioners' courts, of the several counties in this State, shall make such an allowance therefor, not to exceed thirty seven cents per day, as they shall deem just and proper.

APPROVED, February 28, 1847.

In force,
June 1, 1847.

AN ACT to provide for recording transcripts of judgments of justices of the peace.

Justices' transcripts to be recorded.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the clerk of the circuit court of each county in the State, shall procure a well bound book, in which to record the transcripts of judgments of justices of the peace, filed in his office for the purpose of obtaining executions to be levied on real estate; and all such transcripts shall be recorded at length, in said book, before any execution is issued thereon.

Fees.

SEC. 2. Transcripts of judgments of justices of the peace, heretofore filed with clerks of the circuit court, for the purposes mentioned in the foregoing section, shall be recorded in said book, at the request and cost of any party or person intrusted, [interested] either in the judgment or proceedings had under the same. The fee for recording transcripts hereafter filed, shall be changed [charged] against the plaintiff or person filing the same, and taxed in the bill of costs against the defendant.

What transcript shall contain. To be certified.

SEC. 3. Transcripts hereafter filed shall contain a copy of the original and each subsequent summons or process issued by the justice of the peace, the return of the officer or officers thereon, the judgment and the execution or executions issued thereon, with the return of the officer of officers upon the same; and no execution shall hereafter be issued upon a transcript, unless the same be made conformable to this act.

SEC. 4. Every transcript desired to be used for the purposes mentioned in this act, shall be certified by the justice of the peace making the same, to be truly copied from the files and books of his office. This act to take effect on the first day of June next.

APPROVED, February 27, 1847.

In force,
May 1, 1847.

AN ACT in relation to lotteries, and to prohibit the vending and selling of lottery tickets.

Repeal'g clause.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all laws or parts of laws establishing any lottery, or lotteries, in this State, for any purpose whatever, be, and the same are hereby, repealed.

SEC. 2. All laws or parts of laws authorizing the selling or vending of lottery tickets, are hereby repealed.

Penalty for keeping lottery office.

SEC. 3. If any person or persons shall hereafter keep an office, room, or place, for the sale or other disposition of lottery tickets in this State, he or they shall be liable to indictment; and on conviction for such offence, shall be fined in a sum not less than one hundred dollars, nor more than five hundred dollars, with costs of prosecution.

Penalty for vending.

SEC. 4. If any person shall vend, sell, or otherwise dispose of any lottery ticket in this State, he, she, or they, shall be liable to indictment, and on conviction thereof fined in a sum not less than one hundred dollars, nor more than five hundred dollars, and shall stand convicted until the fine and costs are paid.

SEC. 5. This act shall take effect on the first day of May next.

APPROVED, February 26, 1847.

AN ACT to amend the law in relation to marriages.

In force,
Feb'y 16, 1847.

WHEREAS, under the provisions of the law regulating the mode of celebrating the rites of matrimony, and designating the persons who may so solemnize those rites, doubts are entertained as to the right of ministers of the gospel to officiate in the premises, unless they have authority conferred upon them by some express action of the society or church to which they belong, therefore,

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all marriages heretofore, as well as those which may hereafter be, solemnized by acting ministers of the gospel, in regular standing with the church or society to which they belong, shall be deemed and held to be lawful, and the issue of such marriages shall be deemed legitimate: *Provided,* that this act shall not operate upon any marriage or issue, when such marriage was, or may be, consummated contrary to the laws of the land, for any other cause than that mentioned and provided for herein.

APPROVED, February 16, 1847.

AN ACT to amend the act entitled mills and millers.

In force,
Feb'y 26, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the provisions contained in the first nine sections of the said act, entitled mills and millers, which provide for and regulate the erection of mill dams, be, and they are hereby, extended to the management and erection of dams on streams for other machinery, as well as for mills; and said nine sections shall be extended to the erection of dams for any and all kinds of machinery, in the same manner as the said original act applies to the erection of mill dams. This act to take effect and be in force from and after its passage.

APPROVED, February 26, 1847.

AN ACT in relation to the change of names.

In force,
Feb'y 26, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any resident of this State, by application to the circuit court of the county where he or she resides, may, if no cause appear to the contrary, by order of said circuit court, change his or her name.

SEC. 2. Before making said application, the applicant shall give notice, at least six weeks previous to the time of making such application, in the State paper, for four consecutive weeks; which notice shall be signed by the applicant, and specify the name he de-

Circuit c't have
power to change
name.
six weeks' no-
tice in State pa-
per; 4 consecu-
tive weeks.
New name to be

stated in notice. sires to assume, and the term of the proper circuit court at which he or she will make such application.

Act to apply to minors. SEC. 3. This act shall apply to cases where the applicant is a minor, as well as to adults.

APPROVED, February 25, 1847.

In force,
Feb'y 16, 1847.

AN ACT to protect the interests of orphans and minors, and for other purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That each and every guardian, who may be appointed by any probate justice of the peace by authority of the laws of this State, or by authority of any last will and testament, are hereby required, on final settlement before the probate justice of the peace, or other tribunal, before whom guardians may be bound to settle by law, to exhibit their account against their ward, under oath, which oath may be in substance as follows, to wit: I, A. B., do solemnly swear, (or affirm, as the case may be,) that the account I have this day rendered, contains a just and true account of the moneys which I have expended for C. D., a minor, for whom I am guardian, and also all claims which I have against said minor; which said oath or affirmation shall be reduced to writing, and filed in the office of the probate justice of the peace; said account shall also contain and set forth specifically, in separate items, on what account expenditures were made by such guardian; and no account shall be received by any probate justice of the peace, unless the provisions of this act have been substantially complied with.

SEC. 2. This act, and all the provisions of the same, shall apply as well to guardians who may have been heretofore appointed, as to those who may hereafter be appointed by law.

SEC. 3. This act shall take effect and be in force from and after its passage.

APPROVED, February 16, 1847.

In force,
Feb'y 19, 1847.

AN ACT to amend the law in relation to the securities of guardians.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter, whenever the security or securities of any guardian, in this State, may conceive themselves in danger of suffering by the mismanagement of such guardian, and shall petition the court of probate having jurisdiction of the matters involved, for relief, in writing, setting forth the cause of such apprehension, the said court shall examine such petition, and if the court shall deem the causes therein stated and set forth, sufficient to entitle such petition or petitions to relief, if true, he shall summon such guardian to show cause against such petition, and shall thereupon proceed in all respects, as courts of probate

are required to proceed in regard to executors and administrators, by the seventy-ninth section of the chapter of the revised statutes, in regard to wills, approved, March the third, one thousand eight hundred and forty-five; and revoke such guardian's letters of guardianship, or release such security or securities, and require others to be given, or to dismiss such petition and application, as to said court may seem right: *Provided*, the party aggrieved may have an appeal as in other cases.

APPROVED, February 19, 1847.

AN ACT to provide for the sale of property in White county.

In force,
Feb'y 27, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Governor shall appoint a commissioner to sell, according to the terms of this act, the eighteen acres and twenty-three one hundredths of an acre of land in White county, which was bought by the State of C. J. Weed, on the first of August eighteen hundred and thirty-nine, known as the Carmi mill property, with all the privileges and appurtenances thereunto belonging. Also, the twenty-seven acres and three one hundredths of an acre of land, with all the privileges and appurtenances thereunto belonging, which was bought by the State of E. H. Gatewood, A. Kirkpatrick, and M. M. Rawlings, on the third of August eighteen hundred and thirty-nine, known as the New Haven mill property.

Carmi mills to
be sold.

N. Haven mills
to be sold.

SEC. 2. It shall be the duty of the auditor, within thirty days after the passage of this act, to cause notice to be given, by publication in the two public newspapers at the seat of government, and such other papers, in and out of the State as he may deem advisable, that the aforesaid property will be offered for sale at Carmi, on some day in said notices to be named, not less than three months after the date of said advertisement, and also of terms of sale.

Notice of sale.

SEC. 3. The aforesaid property shall, on the day mentioned in said advertisement, be sold by the said commissioner at public auction, in separate parcels, to the highest and best bidder, on a credit of one, two, and three years, the purchasers giving bond and security, and a mortgage on the premises, for the payment of the amount bid, in three equal annual instalments, in State indebtedness.

Sold at auction.

SEC. 4. The right conveyed to the purchaser or purchasers by the said sale, shall be subject to the following limitations and restrictions: No dam shall be erected on the "Carmi mill property" of a greater height than twelve feet, or on the "New Haven mill property" of a greater height than seven feet, through which good and sufficient locks shall be constructed and made, one hundred feet long and twenty feet wide, to admit of the safe passage of all boats ascending or descending the Little Wabash river; and said locks shall at all times be kept in good repair; and said purchaser or purchasers, or their assigns, shall open the same for the speedy passage of all boats or crafts upon application being made, free of any charge whatever; and upon a failure to comply with the foregoing provisions contained in this act, the purchaser or purchasers, or their assigns, shall be

Limitations and
restrictions.

Penalty.

liable for all damages that may be sustained, by reason of such omission or neglect, to be recovered before any court having competent jurisdiction.

APPROVED, February 27, 1847.

AN ACT in relation to limited partnerships.

In force,
Feb'y 23, 1847.

Limited partner-
ships.

Of whom com-
posed.

Who may trans-
act business.

Certificate; con-
tents thereof.

Shall be acknow-
ledged.

Shall be filed.

Transcript.

Inspections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter it shall be lawful to form limited partnerships within this State, according, to the provisions of this act.

SEC. 2. Limited partnerships may consist of one or more persons, who shall be called general partners, and who shall be jointly and severally responsible, as general partners now are by law; and of one or more persons who shall contribute a specific amount of capital in cash, or other property at cash value, to the common stock, who shall be special partners, and who shall not be liable for the debts of the partnership beyond the amount of the fund so contributed by them respectively to the capital stock, except as hereinafter provided.

SEC. 3. The general partners only shall be authorized to transact business, to sign for the partnership, and to bind the same.

SEC. 4. The persons desirous of forming such partnership, shall make and severally sign a certificate, which shall contain:

First. The name or firm under which the partnership is to be conducted.

Second. The general nature of the business to be transacted.

Third. The names of the general and special partners therein, distinguishing which are general and which are special partners, and their respective places of residence.

Fourth. The amount of capital stock which each special partner shall have contributed to the common stock; and

Fifth. The period at which the partnership is to commence, and the period when it will terminate.

SEC. 5. Such certificate shall be acknowledged by the several persons signing the same, before some officer authorized by law to take the acknowledgment of deeds; and such acknowledgment shall be made and certified in the manner provided by law for the acknowledgment of deeds for the conveyance of land.

SEC. 6. The certificate so acknowledged and certified, shall be filed in the office of the clerk of the county in which the principal place of business shall be situated, and shall be recorded at large by the clerk in a book to be kept by him; and such book shall be subject, at all reasonable hours, to the inspection of all persons who may choose to inspect the same. If the partnership shall have places of business situated in different counties, a transcript of such certificate, and of the acknowledgment thereof, duly certified by the clerk in whose office it shall have been filed under his official seal, shall be filed and recorded, in like manner, in the office of the clerk of every such county; and the books containing such records shall be subject to inspection, in the manner above directed.

SEC. 7. At the time of filing the original certificate, as before directed, an affidavit of one or more of the general partners shall also be filed in the same office, stating that the amount in money, or other property at cash value, specified in the certificate to have been contributed by each of the special partners to the common stock, has been, actually and in good faith, contributed and applied to the same. Affidavit.

SEC. 8. No such partnership shall be deemed to have been formed until such certificate, acknowledgment and affidavit shall have been filed as above directed; and if any false statement shall be made in such certificate or affidavit, all the persons interested in such partnership shall be liable for all the engagements thereof as general partners. When formed.

SEC. 9. The partners shall publish the terms of partnership, when recorded, for at least six weeks, immediately after recording the same, in some newspaper, to be designated by the clerk with whom such records shall be made; such newspaper to be one printed in the county in which the business is to be carried on, or in the county nearest thereto in which a newspaper shall be published; and if such publication be not made, the partnership shall be deemed general. Terms of, to be published.

SEC. 10. Affidavits of publication of such notices by the printers of the newspaper in which the same has been published, may be filed with the clerk directing the same, and shall be evidence of the fact therein contained. Printer to file affidavit of notice.

SEC. 11. Upon the renewal or continuance of a limited partnership beyond the time for which it was first created, a certificate shall be made, acknowledged, recorded, and published, in like manner as is provided in this act for the formation of limited partnerships; and the affidavit of one or more of the general partners, as above provided, shall also be filed with the proper county clerk, as aforesaid; and every such partnership which shall not be renewed or continued, in conformity with the provisions of this section, shall be deemed a general partnership. Renewal.

SEC. 12. The business of the partnership shall be conducted under a firm, in which the names of the general partners only shall be inserted, without the addition of the word "Company," or any other general term; and the general partners only shall transact the business; and if the name of any special partner shall be used in the said firm, with his consent or privity, or if he shall personally make any contract, respecting the concerns of the partnership, with any persons except the general partners, he shall be deemed and treated as a general partner. Form.

SEC. 13. During the continuance of the partnership under the provisions of this chapter [act,] no part of the capital stock shall be withdrawn, nor any division of interest or profit be made, so as to reduce such capital stock below the sum stated in the certificate above mentioned; but in case it should subsequently appear that such receiving of interest was a withdrawing of original capital, the special partner or partners shall be bound to refund the same with lawful interest. Restrictions upon partners.

SEC. 14. That it shall not be lawful for any such partnership, nor any members thereof, in contemplation of bankruptcy or insolvency, and with the intention and for the purpose of paying or se-

curing any one or more of their or his creditors in preference to any other of their or his creditors, to make any sale, conveyance, gift, transfer or assignment of their or his property or effects, or to confess any judgment, or to create any lien whatsoever, upon their or his property or effects; and every such conveyance, gift, transfer, or assignment, involving such judgment or other lien, shall be, and the same is hereby, declared to be utterly void.

Suits; how prosecuted.

SEC. 15. All suits respecting the business of such partnership, shall be prosecuted by and against the general partners only, except in those cases in which provision is made in this chapter, [act,] that the special partnership may be deemed general partnership; in which cases all the partners deemed general partners may join or be joined in such suit; and excepting, also, those cases where special partners shall be held severally responsible, on account of any sum by them received or withdrawn from the common stock as above provided.

When dissolution may take place.

SEC. 16. No dissolution of a limited partnership shall take place, except by operation of law, before the time specified in the certificate before mentioned, unless a notice of such dissolution shall be recorded in the registry in which such certificate was recorded, and in every other registry where a copy of such certificate was recorded, and unless such notice shall also be published six weeks successively, in some newspaper printed in the county where the certificate of the formation of such partnership was recorded; and if no newspaper shall, at the time of such dissolution, be printed in such county, then the said notice of such dissolution shall be published in some newspaper printed in an adjoining county, or at the seat of government.

Account.

SEC. 17. That the general partners in every such partnership shall be liable to account to the special partners, and to each other, for the management of the joint concern, according to the law of partnership as now subsisting.

Prohibition.

SEC. 18. That in case of bankruptcy or insolvency of the partnership, no special partner shall be considered or allowed to claim as a creditor under any circumstance.

Clerk's fee.

SEC. 19. For performing the duties required of him by this act, the clerk shall be entitled to demand and have one dollar for each registry.

APPROVED, February 23, 1847.

In force,
March 1, 1847.

AN ACT concerning practice.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all actions upon replevin bonds, where the merits of the case have not been determined in the trial of the action of replevin in which the bond was given, the defendant may plead the above facts, and also his or her title to the property in dispute in the said action of replevin.

SEC. 2. This section shall be in force from and after its passage.

APPROVED, March 1, 1847.

AN ACT to amend the practice act.

In force,
Febry. 25, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter no judge of the circuit court shall instruct the petit jury, in any case, civil or criminal, unless such instructions are reduced to writing. Instructions to be in writing.

SEC. 2. And when instructions are asked which the judge can-
not give, he shall, on the margin thereof, write the word "refused;"
and such as he approves he shall write, on the margin thereof, the
word "given;" and he shall in no case, after instructions are given,
orally qualify, modify, or in any manner explain the same to the
jury. Duty of judge.

SEC. 3. And such instructions, so given, shall be taken by the
jury in their retirement, and returned by them, with their verdict,
into court. Jury shall return instructions.

SEC. 4. That an act to regulate the salaries of justices of the
supreme court hereafter to be elected, approved February the
twelfth, eighteen hundred and forty-five, and so much of the forty-
first chapter of the revised statutes as provides that the justices of
of the supreme court elected or appointed subsequently to Febru-
ary the twelfth, one thousand eight hundred and forty-five, shall each
receive one thousand dollars, approved March the third, one thous-
and eight hundred and forty-five, be, and the same are hereby, re-
pealed; and the twenty-sixth section of chapter twenty-nine of the
revised statutes, approved March the third, one thousand eight
hundred and forty-five, be, and the same is hereby, revived, from
and after the first of January, one thousand eight hundred and forty-
seven. Judges' salary increased.

APPROVED, February 25, 1847.

AN ACT further to define the duties of probate justices.

In force,
Febry. 19, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That when any executor or
administrator may have [removed] or shall remove without the limits
of this State, it shall be the duty of the probate justice of the proper
county, upon affidavit being filed of such removal by any person in-
terested in the estate in the hands of such executor or administrator,
to cause a notice to be published in some newspaper in the county
where letters testamentary or of administration may have been
granted, for four weeks successively, and if no newspaper is pub-
lished in said county, then by posting up a notice at the court house
door, setting forth that said affidavit has been filed, and notifying
the said executor or administrator to appear before him within thirty
days after the date of said notice, and make a settlement of his
accounts as now required by law; and in case said executor or ad-
ministrator shall neglect or refuse to make said settlement as afore-
said, it shall be the duty of said probate justice to remove said
executor or administrator from office, and to supply the vacancy as
now directed by law in other cases. Notice to admin-istrators, &c,
Duty of court.
Admin'r may be removed.

APPROVED, February 19, 1847.

In force,
Feb'y 11, 1847.

AN ACT relating to the qualification of certain officers therein named;

Oath administered to probate justice, &c.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any clerk of the county commissioners' court has been, or may hereafter be, elected to the office of probate justice or justice of the peace, in any county in this State, and shall have taken or shall take the oath of office before any officer duly authorized and qualified to administer oaths in the county for which said officer shall have been or shall be chosen, the said oath having been or being administered and certified as is provided where the same is administered by the clerk of the county commissioners' court to any other person, then, and in that case, such probate justice or justice of the peace shall be deemed, and is hereby declared, to have been and to be duly and fully qualified for the legal discharge of the duties and powers of the said offices.

SEC. 2. This act shall take effect and be in force from and after its passage.

APPROVED, February 11, 1847.

In force,
Feb'y. 20, 1847.

AN ACT concerning the penitentiary.

Additional cells and improvements.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of the inspectors of the penitentiary of this State, to proceed, as soon as practicable, to the election [erection] and completion of ninety-six additional cells in said penitentiary, of the same dimensions and structure of those already in use, and complete the fourteen cells now in an unfinished state, except that they make such alterations as to the ventilation and admission of light therein, as they may deem necessary, consistent with the safe keeping of the prisoners. They shall also, in the same manner, cause to be erected an additional story to the house already occupied by the warden as a dwelling house, which, when suitably completed, shall be used and appropriated for a hospital for said prisoners; also a warden's house in the niche at the southwest angle of the area of the outer wall of said penitentiary, to be three stories high, and about forty-four feet by thirty-six feet in dimensions, to be built of either brick or stone, as said inspectors may determine; also a cooper shop, one hundred feet in length by fifty feet in width, to be erected at a suitable distance from the outer walls, and of such materials as said inspectors shall deem most suitable; also a cistern of suitable dimensions to afford a bathing place for the said convicts, and the supply of water for the extinguishment of fires and other necessary purposes about said prison; also a kitchen of suitable size and structure adjoining the dining room, for the use of said convicts; also a smith shop and wagon maker shop, of such dimensions and materials as are suitable therefor. Said inspectors shall also cause to be erected and kept

Sewer.

open, a common sewer for carrying off the water and filth within the said prison, unless in their judgment they can provide some other convenient mode of accomplishing said object, in which case they may adopt such mode in lieu of said sewers. They shall also cause the whole of the area of said prison requiring the same, to be Area to be macadamized. suitably McAdamized or paved as they shall deem best. The said inspectors shall also have the authority to cause such supports and additions as they may deem most advisable for the preservation and security of the walls around said prison, to be erected.

SEC. 2. The said inspectors shall proceed in the execution of How to proceed. said works in such a manner, as to have those first completed which may be most needed, keeping in view the necessity of having the hospital in a state of readiness for the approaching sickly season; and also the accrual of the bonus due and to become due, by the lessee of said prison to the State, out of which the expenses for the improvements contemplated in the preceding section are to be paid: *Provided*, that the expenditures herein authorized shall in no event What sum. exceed the bonus due and to become due the State from the present lessee.

SEC. 3. The said inspectors shall contract on the best terms they Contract. can, for the erection and completion of the works set forth in the first section of this act, and in so doing shall require the contract to be reduced to writing, in which shall be stated particularly the time and manner in which the same shall be completed, and that it shall be finished in a substantial and workman like manner; and in case the work should be let to any other person than the lessee of said penitentiary, bond and security shall be required for its faithful performance, according to the terms of the contract.

SEC. 4. The lessee of said penitentiary may also contract for Works to be estimated. said work, and in case it is adjudged to him by said inspectors, the work shall be estimated by three mechanics, one to be chosen by said lessee, the other by said inspectors, and they two shall choose a third, by whom the value of the work shall be estimated under oath; and the said inspectors shall have the right to elect whether they will pay for said work according to the contract with said lessee, or the estimation thereof; and the lessee shall have the right to employ any of the convicts in said prison in the construction of said work; and the said inspectors may give to said lessee, certificates stating the value of the work done by said lessee, according to their judgment, as the said work progresses, which he may file with the treasurer of State, which shall be considered as so much money paid by said lessee into the State treasury; but which shall not be deemed final and conclusive between the parties, but shall abide the election of the said inspectors as to the choice of payment.

SEC. 5. Should the contract authorized to be made by this act not be taken by the lessee, the persons who may do the work, shall receive from the inspectors, certificates of the amount of work done from time to time, and which certificates shall be paid by the lessee out of the bonus due to the State, and which certificate when returned to the treasurer shall be in full for the bonus due to the State, so far as said certificate may go.

SEC. 6. The said warden shall not place convicts for slight offences in the same cell with those guilty of enormous crimes.

- Seats and tables. SEC. 7. The convicts in said penitentiary shall be provided with comfortable seats at tables ranged crosswise of the said dining room, for their accommodation while at meals and during divine service.
- Records. SEC. 8. The said warden shall be required to have and preserve a record of the convicts received hereafter, their names and description, the counties from whence sent, the crimes for which they were convicted, the term of time for which they were sentenced, the country and State in which they were born, and the nature and degree of their education, together with such other information as he shall deem necessary, and he shall report the same to each session of the Legislature; he shall also keep a journal of the number of the violations of the regulations of said prison, and the nature and extent of the punishment therefor, an abstract of which shall be reported at the same time.
- Physician's report. SEC. 9. The physician in attendance upon said prison shall be required to report to the warden, who shall report to the Legislature at each session, a list of the names and ages of those who may die, with the nature and description of the disease, together with such other information as he may deem important.
- Money, clothing, &c. SEC. 10. The said warden, under the direction of the inspectors, shall allow to each person upon the expiration of his term of service, either by pardon or lapse of time, such sum of money as may be deemed suited to his wants, and also a comfortable suit of citizen's clothes suited to his condition, if the said person have not such clothes of his own.
- Divine service. SEC. 11. The said inspectors shall procure some suitable person to perform divine service every Sabbath day, at least once, for the benefit of said convicts, for which they shall allow the sum of five dollars per week; and [in] case of sickness of any convict, upon his request to that effect, any clergyman or other religious person of any denomination designated by him, shall be procured, if possible, to administer such spiritual consolation as such convict may need.
- Chaplain's pay. SEC. 12. The inspectors shall give a certificate to said person officiating as chaplain of said prison, stating the amount due to him, which shall be paid by the warden and deducted out of his bonus.
- Compensation. SEC. 13. The inspectors shall allow to the persons selected to appraise the work done pursuant to the provisions of this act, such compensation as they may deem suitable, which shall be paid out of any funds belonging to said penitentiary, or by the said warden, and their receipt shall be allowed him as a credit in his settlement with the State.
- City powers. SEC. 14. The city of Alton shall not have any control over the penitentiary landing, except for police regulations and wharfage purposes, and for keeping the same in repair, reserving to the State and the lessee of the penitentiary all rights belonging to them therein.
- Am't allowed. SEC. 15. The warden of the penitentiary shall not be allowed in any event, more than three thousand dollars for building the warden's house, in conformity with the provisions of the eighth section of an act, entitled "An act to lease the penitentiary," approved, March first, 1845.
- Acc't of money. SEC. 16. The warden of the penitentiary shall keep an exact account of the money paid, and the value of clothes furnished, to discharged convicts, under the provisions of this act, and shall be allowed to deduct the same out of [the] bonus due by him to the

commenced by the State against the said John Crenshaw, for money now due the State on said lease, or prevent the commissioner of the Gallatin saline from prosecuting on the said lease to final judgment; but if judgment should be obtained, the said John Crenshaw may liquidate the same as above, except the costs of court, which shall be paid in good money, together with a reasonable sum to be paid to the said commissioner for his services in prosecuting said suit.

SEC. 2. If defalcation takes place in any of the before mentioned payments, then this act to be of no force; and it shall be the duty of said commissioner, and he is hereby required, to prosecute the whole of the said claim as it may become due, and collect the full amount with interest, in good money. Saving clause.

SEC. 3. The administrator or administrators of Timothy Guard, deceased, and of Benjamin White, deceased, or their securities, be, Adm'r of Timo-
thy Guard and
B. White, may
pay, &c. and they are hereby, allowed to pay their respective debts to the State, accruing in respect to arrears of rent for the salt works in Gallatin county, formerly occupied by said deceased persons, whether due by the terms of the original leases, or by note or judgment, in any bonds of this State, or other evidences of State indebtedness, (except the Macalister and Stebbins bonds,) in like manner as is herein above provided and allowed for the relief of the said John Crenshaw; also, that if there be any other person or persons indebted to this State, for or on account of arrears of rent for said salt works, or any part thereof, either as principal or sureties, such person or persons, their heirs, sureties, &c. shall be entitled to, and are hereby allowed, to discharge such indebtedness in the same manner, and on the same terms, as hereinbefore provided for the said Crenshaw. Exception.

APPROVED, February 25, 1847.

AN ACT to amend chapter eighty-seven of the revised statutes, entitled records and In force
March 1, 1847.
and recorders.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the recorders of the several counties in this State are hereby required to keep a complete index of all the deeds, mortgages, and other instruments in writing which are required by law to be recorded, and which may have been or which may hereafter be recorded in the several volumes of books in his said office, as a safe and sure reference to any such deed, mortgage, or other instrument in writing so recorded by him, and open at all times to the citizens of such county for their inspection, without fee. Index.

SEC. 2. The county commissioners' court of the several counties in this State, are hereby required to furnish the recorder of their respective counties with such books of suitable and convenient size as may be necessary to carry into full effect the first section of this act, and to grant such compensation out of their respective county treasuries, to any such recorder as shall have made out such index, as contemplated in the first section of Books to be fur-
nished.

Compensation. this act, and has not heretofore been paid therefor, such compensation to be agreed upon between said recorder and the commissioners' court of said county; and should they not agree, then the same shall be submitted to three disinterested citizens of said county, one of whom shall be appointed by the county commissioners' court of said county, at any regular term thereof, as soon after the passage of this act as practicable, and one by said recorder, and the third, if not agreed upon by said court and the recorder, shall be appointed by the two who shall be appointed as aforesaid, and the three so appointed shall inspect said index, and report, upon oath, if required by either party, the sufficiency and value of the same; and when said index shall have been paid for as aforesaid, the same shall be open to inspection for reference to the citizens of said county, without charge.

Arbitration.

Provision for indexing. SEC. 3. In any county where no such index has been made, it shall be the duty of the county commissioners' court of such county to employ some competent person to make out the same, and pay him such compensation out of the county treasury as said court may deem just and reasonable.

Proceedings of Will circ^t court to be indexed. SEC. 4. The county commissioners of the county of Will are hereby authorized to cause an index to the records of judgments rendered in the circuit court of said county, as well as the record of judgments filed in the office of the clerk of the said circuit court, to be made, if, in the opinion of the said commissioners, the making of each index only is necessary; otherwise the said commissioners shall cause to be transcribed the whole of the said judgment record into a well bound book to be by them provided for that purpose, and the record, so transcribed, shall become and constitute a portion of the records of said circuit court, and shall be as valid in law as if originally recorded in the same. The county commissioners' court of said county shall cause to be paid to the person employed by them to carry out the provisions of this section, a fair and reasonable compensation, and in case of disagreement, the amount shall be determined in the manner already provided in this act for services in transcribing of other records. This act to be in force from and after its passage.

Compensation.

APPROVED, March 1, 1847.

In force,
Feb'y 28, 1847.

AN ACT to transcribe the records of Scott county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county commissioners' court of Scott county is hereby authorized to cause to be copied from the recorder's office of Morgan county, all the deeds, mortgages and other writings recorded in the said county of Morgan, concerning or affecting real estate situated in the county of Scott; and said court may employ the recorder of said county, or some other competent person, to copy the said deeds, mortgages, or other writings, into a well bound book to be provided for that purpose; and the person so appointed shall have access to the books of the

records of Morgan county for the purpose of making the copy aforesaid, free of charge.

SEC. 2. When the deeds, mortgages, and other writings aforesaid shall be copied, the recorder of Morgan county shall assist in comparing said copies with the records thereof, and when all errors, if any, shall have been corrected, the person so employed, and the recorder of Morgan county, shall make, sign, and make oath to a certificate, stating that said copy has been truly and correctly made from the records of said office, which certificate shall be made upon the book in which the deeds are copied as aforesaid.

Record'r of Morgan to compare and certify.

SEC. 3. Copies made from the book in which the deeds shall be copied as aforesaid, certified by the recorder of Scott county, may be used as evidence *prima facie* of the existence and contents of the original deeds.

Copies may be used as evidence.

SEC. 4. The recorder of Morgan county shall be allowed and paid for his services and the use of his office, in comparing and certifying to the deeds copied under the provisions of this act, five cents for each deed or mortgage, which shall be paid by the county of Scott.

Pay of recorder of Morgan co.

SEC. 5. The county commissioners of Scott county may allow the persons authorized to make the copies aforesaid, not exceeding ten cents for every one hundred words of said copy; said court shall also pay for the record book or books used under the provisions of this act.

Scott county to pay copyist.

APPROVED, February 28, 1847.

AN ACT in relation to the records of Kendall county.

In force,
Feb'y 16, 1847.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county commissioners' court of Kendall county be, and it is hereby, authorized, to employ a competent person to make a complete index to the records in the recorder's office of said county; there shall be an index of the names of the grantors and of the grantees, and also of the tracts or parcels of land; and the recorder of said county, after said index or indexes shall be so made, is hereby required to keep the same in that manner without additional compensation. The said person so employed shall take an oath faithfully to perform the duties herein required of him, which may be taken before the clerk of the said court and filed in his office. The said county commissioners' court is hereby authorized to pay the person so to be employed, a reasonable compensation, to be fixed by them, out of any money in the treasury of said county not otherwise appropriated.

Records to be indexed.

To be sworn.

Compensation.

APPROVED, February 16, 1847.

AN ACT in relation to the records of Peoria county.

In force,
Feb'y 16, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county commissioners' court of Peoria county be, and it is hereby, authorized to contract

Deeds to be copied with the recorder of said county to copy into new books so many of the record books of deeds, and mortgages, and town plats in the office of said recorder, as the said court may think necessary or advisable to be so copied; which books so copied shall be evidence, and copies from said books shall be received in evidence in the same manner as copies of the original records; and the said court is authorized to pay out of the county treasury such sums as it may have been agreed on; and said court is hereby authorized to procure said recorder to make in one well bound book a general index to all the record books of said county, and to make such recorder such compensation as may be agreed on.

SEC. 2. This act to be in force from and after its passage.

APPROVED, February 16, 1847.

In force,
Feb. 11, 1847.

AN ACT to transcribe certain records in Greene, Will and Pulaski counties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That for the preservation of the records of the sales of lands sold for taxes in Greene county, the clerk of [the] county commissioners' court of said county is hereby authorized and required to transcribe said records into a well bound book to be furnished by said court for that purpose.

SEC. 2. When said records have been transcribed as aforesaid, the same shall become and constitute a portion of the records of said court, and shall be as valid in law as if originally recorded in the same. If the said records, when so transcribed, shall not fill the book furnished as aforesaid, sales hereafter made may be recorded in the same.

SEC. 3. The clerk of the county commissioners' court of said county shall be allowed a reasonable compensation for performing the duties required of him under this act, to be paid out of the county treasury.

SEC. 4. When said records have been so transcribed, it shall be the duty of said court at some convenient time thereafter, not exceeding three months, to carefully compare the same with the original record, (and make corrections if any may be required,) and certify the same under their signatures as being a true and perfect transcript of the sale aforesaid, as originally recorded.

SEC. 5. The aforesaid act shall be applicable to the county of Will, and it shall be the duty of the county commissioners' court of the county of Will, to cause the records of said county to be transcribed as expressed in this act.

SEC. 6. The recorder of Will county is hereby authorized, by himself or deputy, to transcribe all the records in the Cook county recorder's office, of deeds and mortgages given for lands situated in the county of Will, where the same was recorded in Cook county previous to the formation of Will county out of a part of the county of Cook. It shall be the duty of the said recorder or his deputy, in transcribing such records, to transcribe in a neat and accurate manner, all town plats situated in the county of Will, and recorded as

above, as well as every other instrument or article touching the interest of the people of said county, that may have been recorded in Cook county previous to the formation of Will county, in a good and substantial book which he shall procure for that purpose.

SEC. 7. The said recorder or his deputy shall have access to all records of the county of Cook for the purpose of making such transcription; and when the same shall have been made, the recorder of Cook county or his deputy shall assist the person making such transcription, to compare every article transcribed with the original record, to correct errors, if any shall have been made, and at the close of the same, the said recorder of Cook county shall make a certificate that the foregoing transcribed records have been carefully compared with the original records in his office, and found to be correctly transcribed in every particular.

SEC. 8. The county commissioners' court of Will county, at their first term after the completion of the said transcribed record, shall order the clerk of said court to draw an order in favor of the recorder, upon the treasurer of said county, for the sum of two dollars and fifty cents per day for every day actually employed in making out such transcribed record, and also for such an amount as the record book may have cost. The number of days employed to be certified under oath of the person doing the work. They shall also cause to be paid to the recorder of the county of Cook, five cents for each article transcribed; and when the same shall have been transcribed as before mentioned, each article shall be as valid to all intents and purposes as if the same had been originally recorded in the county of Will.

SEC. 9. That James S. Smith, of North Caledonia, in Pulaski county, be, and he is hereby, authorized to transcribe the records of Johnson county and Alexander county, so far as the same may affect in any way the rights of persons resident in Pulaski county, or the interests in real estate lying in said county of Pulaski, and shall receive such compensation as the county commissioners' court of Pulaski county shall allow, to be paid out of the treasury of Pulaski county; and for the purposes of transcribing said records, the recorders of Alexander and Johnson counties shall allow said Smith free access to the records of their respective counties, such time as will enable him to complete the same.

SEC. 10. Said James S. Smith shall deposite in the recorder's office of the county of Pulaski, the said records when so transcribed, certified by him to be a true and perfect copy of such parts of the records of said counties of Johnson and Alexander, as affects the interests in Pulaski county of persons and lands; which transcribed records shall have the same force and effect in law that the originals have in the counties from which they have been transcribed; and copies thereof, certified, shall be evidence of the facts contained therein, as if certified from the originals in all respects whatever. This act to be in force from and after its passage.

APPROVED, February 11, 1847.

In force,
March 1, 1847.

AN ACT for the relief of the inhabitants of incorporated towns.

Preamble.

WHEREAS, The county commissioners' courts of many of the counties in this State, acting under the provisions of the road law, have assessed a road tax upon the taxable property within their respective counties, without excluding from the operation of said tax, property situated in and owned by inhabitants of incorporated towns: AND WHEREAS, most of the acts incorporating the inhabitants of towns require such inhabitants to keep all the public roads, passing from and through their said towns, in repair for the distance of one mile from the centre thereof; and in consequence thereof, said towns are not included in any county district, but the inhabitants thereof pay for keeping the roads in repair under the operation of the by-laws of the corporation, and it being manifestly unjust to require the inhabitants of towns so situated to pay double taxes for road purposes; therefore,

Inhabitants of
incorp'd towns
released from
add'l road tax.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all cases where county commissioners' courts have assessed a road tax operating upon property situated in incorporated towns, the inhabitants of which are required to keep the roads passing through and from their said towns in repair, said tax shall be, and the same is hereby, released.

SEC. 2. Hereafter, in assessing the road tax by county commissioners' courts, property situated within the limits of incorporated towns, the inhabitants of which are required to keep the roads in repair, as mentioned in the second [first] section of this act, shall be excluded from the operation of the order assessing said tax.

APPROVED, March 1, 1847.

In force,
Febry. 28, 1847.

AN ACT to provide for forfeited recognizances.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all fines, penalties, and forfeitures that heretofore may have been, or hereafter shall be, assessed, imposed, or incurred in any criminal proceeding in any of the circuit courts of this State, shall be paid into the treasury of the county in which such fine, penalty, or forfeiture occurred or is taken: *Provided,* that in cases of recognizances growing out of changes of venue, the county that by law is compelled to bear the expenses of the prosecution shall be entitled to all moneys arising from any fines, penalties, or forfeitures; if both counties have incurred expenses and costs, then those expenses and costs are to be paid pro rata out of such fines and forfeitures.

Paid in specie,
to school com'r.

SEC. 2. The fines, penalties, and forfeitures collected under the first section of this act, shall be collected in specie funds, and paid by the county treasurer, if the county commissioners, making [make] an order upon the records of their court to that effect, on the first Mondays of April and September in each and every year, to the

school commissioners of the proper county, who shall receipt for the same, and distribute the amount among the school townships of the county for the use and support of common schools as other school funds are distributed.

SEC. 3. Nothing in this act contained shall apply to any fines, penalties, and forfeitures collected in any district court of this State.

APPROVED, February 28, 1847.

AN ACT to define the revenue law.

In force,
March 1, 1847.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the assesment of the taxable property in Gallatin county, made by John Williamson, for the year one thousand eight hundred and forty-six, shall be held to be fully as valid as if the same had been commenced, completed, and return thereof made, within the prescribed provisions of law; and the said assessment, in regard to these and all other defects, is hereby legalized. This act to be in force from and after its passage.

APPROVED, March 1, 1847.

AN ACT to provide for the collection of the revenue of Washington county for the year 1844.

In force,
Feb'y. 26, 1847.

WHEREAS, The collector in and for the county of Washington, in this State, failed to collect the revenue entire in said county, for the year eighteen hundred and forty-four: AND WHEREAS, by the laws now in force concerning the public revenue, and the collection thereof, there is no officer now in existence in said county of Washington empowered or clothed with authority to collect the revenue remaining uncollected in said county of Washington for the year aforesaid; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the present sheriff and collector of the public revenue in and for the county of Washington, in said State, be, and he is hereby, empowered and required to ask for, demand, and receive of and from any person or persons who may have the same in his, or her, or their possessions, the tax books for the year eighteen hundred and forty-four, in and for said county of Washington; and whenever he shall have possessed himself of the same, he is hereby authorized and required to proceed to the collection of so much of the public revenue due from individuals to the State and county, as has not been already collected and accounted for, on account of taxes levied for the year eighteen hundred and forty-four.

May sell delin-
quent lands.

SEC. 2. That the said sheriff of Washington county is authorized, and it is made his duty, to make application to some term of the Washington circuit court for an order to sell the non-resident lands in said county upon which the taxes may yet be due for the year aforesaid, after having given public notice of his intended application for such order, as is required by the statutes now in force concerning the public revenue, and the collection thereof, in this State; the said sheriff and collector is hereby given until the twenty fifth day of December, in the year of our Lord one thousand eight hundred and forty-seven, to make settlement with the county commissioners of said county and the State treasurer, and to file his delinquent lists, and in said settlement he shall be allowed for, and on account of, said delinquencies in the same manner as if collection of the same had been made at the proper time under general laws on this subject.

Fees.

SEC. 3. The said sheriff of Washington county shall, for his services aforesaid, receive the same fees and compensation as is allowed for like services under the general laws upon this subject.

Bond.

SEC. 4. Before the collector of Washington county shall be entitled to the benefit of the provisions of this act, he shall execute a new bond for the faithful performance of his duties, in accordance with the twenty-eighth section of revised laws entitled "revenue."

APPROVED, February 26, 1847.

In force,
Jan'y 26, 1847.

AN ACT in relation to the assessment of taxes in St. Clair county.

Assessment le-
galized.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the assessment of taxes in St. Clair county for the year 1845 and 1846 is hereby legalized, although the same may not have been made in the time required by law.

Duty of collector

SEC. 2. The collector of taxes for 1845 in said county, shall proceed to collect said taxes, and shall pay over the amount collected for State purposes into the treasury of this State, on or before the first Monday of March next, according to the forty-third section of our present revenue law.

Dep. assessor.

SEC. 3. Hereafter the assessor of St. Clair county may, with the concurrence of the county commissioners' court of said county, appoint a deputy assessor, who shall execute a bond with security, in the manner provided in the twenty-eight section of said chapter of the said revised statutes, and take an oath as therein provided.

APPROVED, January 26, 1847.

In force,
Jan'y 26, 1847.

AN ACT for the assessment and collection of revenue for Hancock county for 1845, 1846 and 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the present sheriff and collector elect in the county of Hancock, and his successors in office, taxes for 1845.

have the sole and exclusive right to collect the taxes and assessment now remaining due and unpaid for the year eighteen hundred and forty-five, in said county.

SEC. 2. That the said present sheriff and collector of said taxes and assessment for said year, be, and he is hereby, empowered to do whatsoever he might lawfully have done to enforce the collection and payment of the same, had he been the original collector for said year, and had not the ordinary time for making said collection not transpired, and may sell at any regular time, after complying with the requirements of the law in that respect, all such lands and town lots upon which taxes remain due and unpaid for said year in said county; and all rights accruing under such sales, are hereby protected, and may be perfected, as under ordinary sales for taxes: *Provided*, public notice of the time and place of such sale be given, and the proceedings conducted in all respects as is now or may hereafter be required by law in ordinary sales of lands for taxes, and shall have and receive the same fees and emoluments as are now or may hereafter be allowed him for similar services by law.

Power of sheriff.

Sale.

Notice.

SEC. 3. That the present treasurer and assessor elect of said county of Hancock, and his successors in office, have the sole and exclusive right of making and completing the assessment of property, real, personal and mixed, in said county, which is subject to taxation under the laws of this State for the year eighteen hundred and forty six.

Assessor to complete assessments for 1846.

SEC. 4. That said treasurer and assessor elect, and his successors in office, for said county, be, and he is hereby, empowered and required to commence the said assessment of property in said county for the year eighteen hundred and forty-six, and for the ensuing year, two months earlier than is now required by law; and that he have the same rights and powers as he would [have,] had he been the assessor for said year eighteen hundred and forty-six, and make returns of his said assessments as is now required by law.

When to commence.

SEC. 5. That said treasurer and assessor have and receive the same fees and emoluments for said assessments as is or may hereafter be allowed to him for similar services.

Assessor's fees.

SEC. 6. That the auditor of public accounts be, and is hereby, empowered and required to furnish a list of all lands lying in said county of Hancock, subject to taxation for the ensuing year, to the clerk of the county commissioners' court, by the first day of January, one thousand eight hundred and forty-seven.

Auditor's duty.

SEC. 7. That the clerk of said county court, upon the receipt of said list from the auditor, make out and deliver a list of all the lands and town lots in said county subject to taxation for the year eighteen hundred and forty-seven, or as soon thereafter as he shall be able so to do, agreeably to the eleventh, twelfth and fourteenth sections of the act in relation to the public revenue of this State.

Clerk's duty.

SEC. 8. That, upon the return of said assessments hereinbefore mentioned, to the said county clerk's office, the said sheriff, or his successors in office, be, and hereby is, empowered to make said collection in the same manner as if the time for the collection and payment of the same had not transpired, and as he is now required to do.

Power of sheriff.

SEC. 9. That the former sheriff and collector, and the former treasurer and assessors, and their respective securities, shall not

Former sheriff.

hereby be released from any legal liabilities that may have accrued by reason of the non-performance of their respective principals herein, as required by law, of their several duties and obligations previous to the passage of this act.

Sheriff's bond.

SEC. 10. Before the sheriff and collector shall enter upon the duties devolved upon him by the foregoing provisions of this act, he shall execute a new bond, additional to his ordinary official bond as collector, in a penalty of at least double the amount of the tax of eighteen hundred and forty-six, to be by him collected, which said bond shall be entered in the same manner provided for the execution of a collector's bond, by the 28th section of the 89th chapter of the revised laws.

Redemption.

SEC. 11. That lands sold for the taxes of eighteen hundred and forty-five, in said county of Hancock, be subject to redemption for the period of four years from the time of sale, and the purchaser thereof shall not be entitled to a deed for the same for said period of four years.

SEC. 12. The secretary of State shall transmit a certified copy of this act to the clerk of the county commissioners' court of the county of Hancock.

SEC. 13. This act to take effect and be in force from and after its passage.

APPROVED, January 26, 1847.

In force, Febry. 28, 1847. AN ACT supplemental to an act entitled "An act for the assessment and collection of revenue for Hancock county for 1845, 1846 and 1847."

Former law repealed. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the eleventh section of an act entitled "An act for the assessment and collection of revenue for Hancock county for 1845, 1846 and 1847," approved, January 26, 1847, be, and the same is hereby, repealed.

SEC. 2. This act to take effect and be in force from and after its passage.

APPROVED, February 28, 1847.

In force, Febry. 28, 1847. AN ACT to amend the present revenue law.

Assessor's duty. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of the assessor, in addition to the list of property to be taken by him under the fifteenth section of the revenue law, to state in such list whether the owner of such real estate is a resident of the county.

Duty of clerk of county commissioners' court. SEC. 2. It shall be the duty of the clerk of the county commissioners' court to give a written notice to any resident of his county whose lands, lying in said county, have been sold for State, county, or road taxes, within one year from and after the sale of such lands ;

which notice shall contain a description of the lands sold, and the amount of tax and costs thereon; for making out and delivering such notice, the clerk shall be entitled to receive from the owner of such lands the sum of twenty-five cents, to be paid upon the redemption of such lands: *Provided*, no one person shall be charged but twenty-five cents for such notice, whether such notice contains one or more tracts or town lots.

SEC. 3. If any clerk shall fail or neglect to give the notice as provided by this act, he shall forfeit and pay to the owner of such lands the full amount of the tax and costs due upon said lands, with one hundred per cent. thereon; and upon application of the owner of any such lands, so sold as aforesaid, and who has been neglected to be notified, as aforesaid, by said clerk to the county commissioners' court of said county, within two years after the day of sale, it shall be the duty of the county commissioners' court to order said clerk to redeem said lands from sale, and to grant to the owner a certificate of redemption for the same; and for a failure to comply with such order, the clerk's office shall be vacated, and filled as other vacancies are, any law to the contrary notwithstanding. The forfeitures incurred in the third section of this act shall be recoverable before any justice of the peace of the proper county.

SEC. 4. This act to take effect and be in force from and after its passage.

APPROVED, February 28, 1847.

AN ACT to amend the eighty-ninth chapter of the revised laws, entitled revenue.

In force,
Febry. 27, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the license procured by or issued to any hawker or pedler, by virtue of the seventh section of the chapter to which this is an amendment, shall authorize such hawker or pedler to pursue his occupation for the term of one year from the date of his said license, and no longer.

SEC. 2. So much of the eighth section of the chapter to which this is an amendment, as requires county commissioners' courts to levy the tax for county purposes at the March term of said courts, is hereby modified so that when such tax shall not be levied at the March term, said courts respectively may levy the same at the June term next ensuing.

SEC. 3. The twelfth section of the chapter to which this is an amendment is hereby repealed, and hereafter the auditor shall annually transmit to the clerks of the several county commissioners' courts, on or before the first day of December, a list of all lands in their respective counties which may have or shall become subject to taxation within that year.

SEC. 4. Hereafter, when any assessor shall be unable to discharge his duties and complete his assessment within the time limited by law, on account of sickness, or on account of the extent of his county, such assessor may appoint and employ deputies to aid and assist him in the discharge of his duties: *Provided*, that

- before such deputies shall act, he shall take and subscribe on oath or affirmation similar to that of his principal, and the assessor shall be liable for all the acts of his deputy: *And provided, further,* that said appointment shall not be made without the consent of the county commissioners' court of said county.
- Proviso.** SEC. 5. Hereafter the transcript which is required by the fourteenth section of the chapter to which this is an amendment, to be delivered by the clerk to the assessor of his county, shall be so delivered by such clerk on or before the first day of January instead of the first Monday in March, and such clerk shall also, at the same time, deliver to the assessor suitable blank books, properly headed, wherein to assess the property in his county.
- Blank books.**
- Auditor's duty.** SEC. 6. The auditor of public accounts shall hereafter furnish the clerks of the several county commissioners' courts with blank forms for assessor's books, sale books, and sale lists, and all other lists and certificates necessary to establish a uniform practice in the collection of the State revenue.
- Certain sections of former law repealed.** SEC. 7. Sections twenty-one, twenty-two, twenty-three, twenty-four, and twenty-five, of the chapter to which this is an amendment, are hereby repealed, and hereafter the assessor shall complete the assessment of property on or before the second Monday of July in each year, and return to the clerk of the county commissioners' court the abstract of lands furnished him by said clerk, and his list and description of all taxable property within the county, with the valuation; and the assessor shall add up his own figures in the columns exhibiting the total valuation of real estate, and the total valuation of personal property: *Provided,* if any assessor, after having assessed any real estate, shall re-assess and raise the value thereof, it shall be his duty to give notice in writing to the owner of such real estate of the change thus made.
- Assessor's duty.**
- Clerk to compare list.** SEC. 8. The clerk, assisted by the assessor or other competent person, shall carefully compare the assessment list of real estate with the list furnished the assessor, correcting all errors in said list, and shall set down the valuation of each tract of land and town lot opposite the same, in columns provided for that purpose; and the said clerk shall calculate the amount of State, county and special tax due on each tract and lot, placing the same opposite such tract or lot, also on each person's personal property, and shall add up his own figures in the columns, showing the State tax, county tax, and special tax: *Provided,* that where any tract or lot shall have been forfeited to the State for the taxes of any former year, and remains unredeemed, the amount for which the same was forfeited, together with the interest thereon, shall be added to the amount due for the current year, for which service he shall be allowed a sum not exceeding one cent for each tract, lot, or parcel contained in said assessment list, to be paid out of the county treasury.
- Pay of clerk.**
- Persons aggrieved—relief of.** SEC. 9. Any person feeling aggravated by the assessment of his property, who shall apply to the county commissioners' court for a reduction thereof, as provided in the twenty-sixth section of the chapter to which this is an amendment, and who shall be dissatisfied with the decision of said county commissioners' court thereon, may appeal from such decision to the circuit court, and such reduction may be made by said circuit court, on proof that the valua-

tion of the assessor was too high, which correction shall be made of record, and a list certified by the clerk of the circuit court to the collector: *Provided*, that on such appeal no costs shall be taxed against the State or county.

SEC. 10. Hereafter collectors' bonds shall be transmitted to the Collector. auditor of public accounts instead of the office of secretary of State, and the said secretary shall deliver over to the auditor all the collectors' bonds now on file in his office; certified copies of such bonds under the official seal of the auditor shall be evidence in all the courts of this State.

SEC. 11. Hereafter no assessor shall be, either directly or indirectly, concerned in the purchase of any tract of land or town lot sold for the payment of taxes, under the penalty of one hundred dollars, to be recovered by action of debt. Penalty of ass'r

SEC. 12. On or before the second Monday in September in each Duty of clerk. year, or as soon thereafter as the collector shall be qualified, the clerk shall deliver the assessment list to said collector, and shall transmit by mail to the auditor a statement of the aggregate value of real estate, the aggregate value of personal property, and the aggregate amount of State tax, county tax, and special tax: *Provided*, Proviso. that when the county commissioners' court of any county shall think it necessary, they shall require their clerk to make out new transcripts for the assessor, and copies of the assessor's books for the collector; for said services the clerk shall be allowed a sum not Pay of clerk. exceeding two cents for each tract or lot included in each list, to be paid out of the county treasury.

SEC. 13. Sections forty-three and one hundred of the chapter Certain sections of former act repealed. to which this is an amendment, are hereby repealed, and hereafter the collectors of the several counties shall pay to the school commissioner, on or before the first Monday of March in each year, Duty of collectors. the amount of the interest on the school, college, and seminary fund due from the State to his county, and shall, within sixty days after the time fixed by law for holding the first term of the circuit court of his county in each year, make a final settlement with the auditor, To pay school commissioners. and pay into the State treasury the full amount of revenue due the State, and any collector failing to comply with the provisions of To pay into State treasury. this section shall pay ten per cent. per annum upon the amount he shall fail to pay, and said collector may charge ten per cent. per annum upon the taxes remaining due and unpaid on the first day of Penalty. the term of the court aforesaid. Charges.

SEC. 14. The eighty-first section of the chapter to which this Sec. 81 revised stat. '45 repealed. is an amendment, is hereby repealed, and hereafter the clerks of the county commissioners' courts of the several counties shall sell, Clerks to sell lands. from the records of sales on file in their offices, and all sales of forfeited lands and town lots heretofore made by said clerks, as required by section eighty of the chapter to which this is an amendment, are hereby declared as good, valid, and effectual as if the lists had been furnished by the auditor, as required by section eighty-one of the chapter aforesaid; and where the lists have not already been furnished, said clerks shall transmit to the auditor a Further duty of clerk. list of all the lands and lots which have or shall hereafter be sold, and shall pay into the State treasury the amount received by them for forfeited lands or lots sold, except the amount of county tax, and the interest thereon, which shall be paid into the county treasury.

- Pay of assessor.** SEC. 15. Hereafter assessors shall be allowed a sum not exceeding two dollars per day for every day necessarily employed in the performance of his duty as such assessor, to be paid out of the county treasury ; the treasurer of each county shall be allowed two per cent. upon all moneys paid out of the county treasury ; the
- Of treasurer.**
- Clerk.** the clerk of the county commissioners' court of each county shall be allowed, for assisting the collector in selling lands for taxes, twenty-five cents for each tract of land and ten cents for each town lot sold, for which a certificate is given, and for making a record of the sales two cents, for each tract of land and one cent for each town lot, to be charged and collected as other costs ;
- Clerk cir. court.** the clerk of the circuit court in each county shall be allowed six cents for each tract of land and three cents for each town lot against which judgment is prayed for delinquent taxes, to be collected as other costs ; the collector shall be allowed ten cents for each tract of land and three cents for each town lot sold, and for making the delinquent list for publication, two cents for each tract of land and one cent for each town lot, to be collected as other costs ;
- Pay of collector.** each printer shall be allowed for publishing advertisements of delinquent lands and town lots for sale, ten cents for each tract of land and three cents for each town lot, to be collected as other costs :
- Pay of printer.** *Provided*, that no fees shall be paid on lands or town lots forfeited to the State.
- Proviso.**
- Repeal'g clause.** SEC. 16. All the sections or parts of sections of the chapter to which this is an amendment, conflicting with this act, are hereby repealed. This act to be in force from and after its passage.

APPROVED, February 27, 1847.

In force, AN ACT to amend the seventh section [of] a law concerning revenue, approved March third, one thousand eight hundred and forty-five.
 Feb'y 16, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That in all cases where hawking and pedlers shall take out license, authorizing them to pursue their occupation, either throughout the whole State, or in a single county in the State, as provided in section seven of an act concerning revenue, approved March third, one thousand eight hundred and forty-five, said licenses shall extend only to the term of one year from the time of their issue ; and any person or persons who shall pursue said occupation of hawker or pedler after the time of expiration of his or their license, shall be liable to the same penalty set forth in said seventh section, for the punishment of persons who shall pursue said occupation within this State, or any of the counties thereof, without license.

SEC. 2. This act to take effect from and after the first day of May next.

APPROVED, February 16, 1847.

AN ACT to increase the revenue of the State of Illinois.

In force,
February 19, 1847.

Preamble.

WHEREAS, It has been enacted by the Senate, and House of Representatives of the United States, in Congress assembled, as follows: That the assent of Congress is hereby given to the several States, admitted into the Union prior to the twenty-fourth day of April, A. D. one thousand eight hundred and twenty, to impose a tax or taxes upon all lands hereafter sold by the United States in said States from and after the day of such sale; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter all lands sold by the United States, being and lying in the State of Illinois, shall, as soon as they have been thus sold, be subject to taxation in like manner with all other lands in said State. Lands; when to be taxed.

SEC. 2. That all that part of section four of the revenue law, approved March third, one thousand eight hundred and forty-five, which may conflict with the provisions of this act, be, and the same is hereby, repealed. Repeal'g clause.

APPROVED, February 19, 1847.

AN ACT to amend chapter 89 of the revised statutes.

In force,
February 25, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter it shall be the duty of the clerk of the county commissioners' court of each county in this State, to prepare the lists and make the necessary computations, which are now required by law to be prepared by the auditor of public accounts, of lands and lots forfeited to the State for taxes, preparatory to the sale of the same, as now required by law. Forfeited lots.

SEC. 2. The said clerk shall advertise the same by inserting in the nearest newspaper, as now required, a notice of the time and place fixed for the sale of the same; and for services in attending to the sale of lands for taxes, the said clerks shall be allowed the sum of fifteen cents for each tract or parcel of land sold, to be taxed and collected as costs, in lieu of the ten cents now allowed by law. Notice of sales.

SEC. 3. The auditor of public accounts is hereby authorized and required to draw his warrant on the State treasurer in favor of the clerk of the county commissioners' court of each county in this State, in payment for services rendered by them in making abstracts and computations for all the different years for which taxes were due upon the lands and lots forfeited to the State for taxes, and which were offered for sale, by said clerks, at the sale of first Monday of September, 1845, at the rate of ten cents for each tract contained in the list of said forfeited lands and lots, and, also, reasonable pay for advertising. Warrants.

SEC. 4. The compensation provided for in the third section of this act shall not apply to those clerks of the county commissioners' Back fees.

Restriction.

courts who neglected to comply with all the provisions of the law relative to said sales, or who refused or neglected to comply with the instructions of the auditor, upon the subject of preparing said lists and making computations for said sale. This act to be in force from and after its passage.

APPROVED, February 25, 1847.

In force, Feb'y 18, 1847, AN ACT to amend the ninety-first chapter of the revised laws, entitled "Right of Property."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That upon the trial before the circuit court of any appeal from the trial of the right of property, if the bond required to be given shall be adjudged informal, or otherwise insufficient, on account of its having been taken or approved by an unauthorized person, or otherwise, the party who shall have executed such bond shall in no wise be prejudiced, by reason of such informality or insufficiency: *Provided*, he will, in a reasonable time, to be fixed by the court, execute and file a good and sufficient bond.

SEC. 2. This act shall take effect and be in force from and after its passage.

APPROVED, February 18, 1847.

In force, Feb'y 26, 1847. AN ACT to suppress riots and regulating companies, and maintain the supremacy of the laws.

Punishment for assaults, &c. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That if two or more persons shall commit an assault and battery on, or shall imprison, another within this State, for the purpose of obtaining a confession or revelation tending to criminate the person assaulted, or any other person, or shall assault and batter, or imprison, another on account of a refusal of such person to make such confession or revelation, the persons so offending, on conviction thereof, shall be punished by confinement in the penitentiary for a term of not less than one year, nor more than three years.

SEC. 2. If two or more persons shall actually do an unlawful act, with force or violence, against the person or property of another, with an intent in them thereby to cause such person to leave the State or county against his or her will, the persons so offending, on conviction thereof, shall be punished by confinement in the penitentiary for a term of not less than one year, nor more than three years.

SEC. 3. If two or more persons shall assemble and try another Mock trial for any real or pretended offence, or for being a person of bad repute, without any authority of law in them so to do, the persons so offending, on conviction thereof, shall be punished by confinement in the penitentiary for a term of not less than one year, nor more than three years.

SEC. 4. If two or more persons shall actually do an unlawful Posse, jury, &c. act, with force or violence, against the person or property of any grand or petit juror, witness, or member of a *posse comitatus*, on account of any act done by him, in obedience to a duty required of him by law, or to prevent the performance of any such act, the persons so offending, on conviction thereof, shall be punished by confinement in the penitentiary for a term not less than one year, nor more than three years.

SEC. 5. If one or more persons shall threaten violence to the Threats, &c. person or property of another, for the purpose of obtaining a confession of crime, or for the purpose of causing such person to leave the State, or shall threaten violence to the person or property of any grand or petit juror, witness, or member of a *posse comitatus*, on account of any act done by him, in obedience to a duty required of him by law, or to prevent the performance of any such act, the person or persons so offending shall, on conviction thereof, be severally find not exceeding one hundred dollars, or imprisoned in the county jail not more than three months.

SEC. 6. Whenever any person under arrest, on a charge of any Bail. offence punishable, by law, by confinement in the penitentiary, shall offer bail to any officer required by law to take and judge the sufficiency of bail, and such bail shall be unknown in person and circumstances to such officer, it shall be lawful for such officer to defer the taking of such bail as long as may be necessary, not exceeding five days, that he may inquire into the solvency of such bail: *Provided*, that the person under arrest shall be permitted to offer other bail; and in all cases where such officer shall entertain doubts of the sufficiency of bail offered, he shall judge of the sufficiency of such bail from all the evidence which may be adduced before him, and shall receive or reject the same accordingly.

SEC. 7. This act shall be in force from the end of ten days after its passage; and five hundred copies thereof shall be printed immediately on its passage, and distributed to the different post offices of Massac county.

SEC. 8. This act to be in force two years from and after its passage, and no longer.

APPROVED, February 26, 1847.

AN ACT to improve the navigation of the Embarrass river.

In force,
Feb'y 27, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the county commissioners' Co. com. courts courts of the counties of Coles, Cumberland, Jasper, Crawford, and to assess tax.

Lawrence, shall, at their next March term, and annually thereafter, assess a tax of not exceeding ten cents on each hundred dollars worth of taxable property, real and personal, in their respective counties; and a column in the tax book shall designate the amount to be collected from each person, and which may be paid into the county treasury when collected, to be set apart by the county commissioners' courts of said counties as a fund for the improvement of the navigation of the Embarrass river, in said counties respectively.

Superintendent. SEC. 2. It shall be the duty of the county commissioners' courts of said counties to appoint some suitable person as a superintendent of so much of said river as may be in each of said counties, commencing at New Albany, in Coles county; and it shall be the duty of said superintendents, respectively, to procure hands to labor in removing all drifts, logs, trees, or other obstruction to flat-boat navigation in said river, between the months of June and November; said laborers shall each be entitled to seventy-five cents per day for each day's faithful labor, performed under the direction of said superintendent, who shall keep a true and faithful account of all the labor performed by hands under him, and return the same to the county commissioners' court of the proper county, at their September or December term, who shall direct the clerks of their respective counties to make and issue an order on the treasurer for the amount due each of said laborers, to be paid out of moneys set apart for that purpose.

Duty of county com. courts. SEC. 3. The county commissioners' courts of said counties shall ascertain annually, as near as possible, the condition of said river, and the amount of money necessary to raise by taxation, to be applied in like manner, and shall, at each March term of their court, appoint a superintendent to conduct said work, as required by the second section of this act; said superintendents shall be allowed one dollar and fifty cents for each day necessarily engaged in the performance of their duties, to be paid in the the same manner as daily laborers, and the superintendent shall have power to discharge any such laborers in his employ who shall not faithfully labor as directed by said superintendent, or who shall be guilty of any improper conduct while in the employment of said superintendent: *Provided, however,* that such laborers thus employed shall be entitled to full pay for the time they may have labored up to the time of such discharge: *And provided, also,* that the county commissioners of either of said counties shall have power at any time to remove any such superintendents and appoint a successor in their respective counties, when the interest of said work shall in their opinion require it.

Proviso.

SEC. 4. This act shall be in force from and after its passage.
APPROVED, February 27, 1847.

In force,
Febry. 18, 1847.

AN ACT to levee and make certain improvements on the Wabash river.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas C. Bailey, William Cunningham, Charles D. Emmons and Archibald C. Baird, of

Incorporation.

the county of Lawrence, and their successors, be appointed a board of directors to locate and superintend the construction of a levee, from a point on the Wabash river, at or near the town of Russellville, to the upper end of Dubois hills, who shall have full power and authority to construct said levee; to adopt such measures as they may deem necessary for the construction, repair and preservation of the same; and to do all and everything that may be necessary to make said work answer the purposes of its construction. And are, also, for the purposes aforesaid, hereby made capable in law to contract and be contracted with, sue and be sued, to plead and be impleaded, by the name and style of the "Board of directors for leveeing the Wabash river on Allison prairie."

SEC. 2. That all owners of real estate within the territory embraced in the following limits, to wit: townships three and four north, range ten west, and township three north and range eleven west, shall, on the second Monday in April, eighteen hundred and forty-eight, and every two years thereafter, elect three resident freeholders of said territory, to succeed the board herein appointed, who shall hold their offices for two years, and until their successors are duly elected. Future officers.

SEC. 3. The board of directors shall give three weeks' notice of said election, by posting up written notices in three of the most public places in said territory; shall fix and regulate the time and manner of holding, conducting and directing said election; shall appoint judges and clerks, prescribe their duties, and make all other needful regulations appertaining to the same. Notice.

SEC. 4. Said board shall, at their first meeting, organize by appointing one of their own body clerk, whose duty it shall be to keep and preserve all the books and papers belonging to the board; and shall, also, adopt such rules and by-laws for their own government as they may deem right and proper. Clerk.

SEC. 5. The board shall keep a book in which all its orders, resolutions and contracts shall be recorded and signed by those members of the board present at their adoption, and a majority of said board shall have all the power to act in all matters coming within the scope of the power herein conferred on said board, as fully and as completely as if the whole of said board were present and concurred therein. Duties, &c.

SEC. 6. The board, as soon as practicable, and as often thereafter as they may deem proper, shall appoint two disinterested freeholders, whose duty it shall be to carefully examine the lands in said territory, to rate and assess the benefits said improvements are or may be to each tract or farm, and return the same under their hands to said board of directors, with a certificate endorsed and sworn to by them, that it is a true and faithful assessment, to the best of their judgments; and said assessments shall be liens upon the different tracts of land upon which they are assessed, until they are fully paid. Examinations and assessments

SEC. 7. The board shall appoint a treasurer, whose duty it shall be to receive and collect all assessments and pay out moneys to the order of the board; shall fix his compensation, and require such bond of him as they may think advisable. Duties of treas'r

SEC. 8. The board shall make out a duplicate of said assessment, under their official signatures, with the amount to be paid by each Collector.

person opposite his name, and hand the same over to the treasurer; which duplicate shall be his receipt for collecting the same, and shall have the force and effect of a writ of *feri facias* in the hands of said collector; and all persons who shall not pay, or of whom said collector has not collected, the amount of their assessments, within six months from and after the delivery of said duplicate, shall be returned by him to said board as delinquents.

Delinquents.

SEC. 9. The board of directors, to enforce the collection of said assessments, may file a certified copy of such delinquent list in the circuit court of the proper county, and cause summonses to be issued against such delinquents who may reside in said county, which summons shall be served by the sheriff of the proper county, and if served ten days before the first day of court, judgments may be rendered by said court against each of said delinquents, for the sale of their lands for the payment of such assessments and costs, which sales and judgments shall be governed in all respects by the laws which may be in force, regulating the foreclosure of mortgages and the sheriff's sales consequent thereon.

Non-residents.

SEC. 10. If any of said delinquents be non-residents, notice of the pendency of such application shall be published in one of the nearest newspapers for six successive weeks, six months before the first day of court at which judgment may be rendered.

Right of way.

SEC. 11. The board of directors shall have the right of way, and cause said levee to be made as near as practicable to the Wabash river, shall receive donations for building said levee, and shall cause said work to be done in a permanent and lasting manner.

SEC. 12. This act to take effect from and after its passage; shall be a public act, and be liberally construed for the purposes therein named.

APPROVED, February 18, 1847.

In force,
March 1, 1847.

AN ACT to locate a certain State road therein named.

Board.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Calvin Goudy, of Christian county, B. R. Austin, of Macon, Stephen Wilcox and Stephen A. Briggs, of Montgomery, and Burrel Tetrick, of Macoupin counties, are hereby appointed commissioners to locate a State road as follows, to wit: from Decatur, in Macon county, via Taylorville, in Christian county, through Montgomery county, via Staunton, in Macoupin county, to Edwardsville, in Madison county.

Meeting.

SEC. 2. The said commissioners, or a majority of them, shall meet at Decatur on the first day of April next, or within six weeks thereafter, as they may agree on, and after being duly sworn before some judge or justice of the peace of the State, to faithfully and impartially perform their duties, as required by this act, shall enter upon the discharge of the duties assigned them, and shall commence at Decatur and locate said road by Stonington, Christian county, to Taylorville, thence to or in the vicinity of Butler Sew-

To locate road.

ard's, on the west fork of Shoal creek, in Montgomery county, to Staunton, thence to Edwardsville; and that said road shall be located on the nearest and most eligible ground, having due regard to private property.

SEC. 3. Said commissioners shall designate said road by blazes Designation. on trees through timber, and by setting up stakes through un-timbered ground, shall make out a plat of said road, with the course File plat. and distances from point to point; which plat, when so made, shall be certified to by said commissioners, and a copy thereof filed in the offices of the clerks of the county commissioners' courts of the several counties through which said road may run. And the county com- Duty of co. com- missioners shall then cause so much of said road as lies within their missioners. respective counties to be opened sixty feet wide and kept in repair, as other public highways are.

SEC. 4. The said commissioners shall make out and present to To file report. the county commissioners' court of each county, through which said road may pass, a certified copy of the time and number of hands necessarily employed in each county; and thereupon it shall be the duty of said courts to make a compensation for the sums severally due, allowing to each commissioner the sum of one dollar and fifty Compensation. cents, and to each hand one dollar, and to the surveyor two dollars per day, for every day necessarily employed in locating said road through their respective counties: *Provided*, that the county sur- Proviso. veyor of Christian county shall be employed as the surveyor in locating said road.

SEC. 5. That section thirty-one of an act entitled "An act to Former acts re- locate, re-locate, vacate and establish State roads" is hereby repeal- pealed. ed. This act to be in force from and after its passage.

APPROVED, March 1, 1847.

AN ACT to improve the roads in the Illinois bottom.

In force,
Feb'y 27, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That persons immediately in- Association. terested in any road leading to any ferry, warehouse, or landing on the Illinois river, that passes through low, wet, or inundated land, that require more than the ordinary or legal road labor to keep them in repair, are hereby authorized to form themselves into associa- tions for the purpose of opening, grading, bridging, and keeping in repair such roads.

SEC. 2. In order to form such associations, a meeting may be Meeting. held at such time and place as any three of the citizens interested may agree; such three citizens to give notice of the time, place, and object of the said meeting, by posting up written notices of the same in three of the most public places on the road they wish to improve.

SEC. 3. When the citizens are convened in public meeting, as Organization. provided for in the second section of this act, they shall organize by appointing one of their number chairman, and another secre- tary; they shall then determine by vote whether they will form themselves into a society or not; if a majority voting shall agree to form such society, they shall then agree upon a name

by which the society shall be called and known, and elect, by ballot, a president and three directors, to be styled and known as the "President and directors of the — road society," who shall hold their offices for two years from their election, and until their successors are elected and enter on the duties of their offices. The secretary shall keep a correct record of the proceedings of the meeting, and cause a certified copy of the same to be filed by him, and recorded in the recorder's office in the county or counties in which the road is situated; which record shall be taken and deemed in all cases sufficient evidence of the existence of such society. At all succeeding elections of president and directors, the president shall give ten days' notice of the same, and the president and directors in office shall cause the same to be conducted in all respects as is provided by this act for the election of the first officers of the society.

Powers.

SEC. 4. The president and directors of the society shall have power to locate or re-locate State or county roads between the bluffs or highlands and the river: *Provided*, such location shall not materially increase the length or distance of said road. When such location is made the president shall certify the same, setting forth in said certificate the distance, the commencement and termination of said road, together with such other remarks as shall serve to identify the location of the road; which certificate shall be filed in the office of the county commissioners' clerk.

Action.

SEC. 5. The president shall call annual meetings of the society in the month of May, at which meetings the society shall determine by vote the number of days' labor each member of the society shall be required to expend on the road that year, or the amount of money each member of the society shall contribute for the improvement of the road that year, to be paid to the president at such time as the society shall determine. The president shall give notice of such meeting by posting up written notice of the same in three of the most public places in the vicinity of said road, setting forth the time, place, and object of said meeting.

Notice.

Subscriptions.

SEC. 6. All moneys, labor, or other valuable thing subscribed, donated or given for the improvement of any road coming within the provisions of this act, shall be appropriated by the president and trustees of said road for the sole purpose of opening, grading, bridging, or macadamizing said road, or for making such other improvement on said road as the society shall direct, and for no other purpose.

Owners of ferry.

SEC. 7. All persons owning ferries on the Illinois river, and who pay into the treasury of any county in this State any amount of money for the privilege of keeping said ferry, shall be permitted, and they are hereby authorized, to pay the amount of money now required by law or that may hereafter be required to be paid for said privilege, to the president and directors of the road leading to said ferry, and by them appropriated as other money for the improvement of said road; the receipt of the president of the society having charge of the road, to whom the money was paid, shall be a sufficient voucher to secure to the owner of said ferry, paying the money as aforesaid, license to keep such ferry, as is now, or may hereafter be, provided by law.

SEC. 8. When there is no society formed to improve a road leading to a ferry, as provided in this act, the money paid by the owner or owners of such ferry for license, to the county commissioners' court, shall be paid by the order of said court to the supervisor having charge of the road leading to said ferry, and shall be expended by him in improving that part of said road situated in the Illinois bottom. License; how applied.

SEC. 9. Any person being a member of any society organized under the provisions of this act, and who shall have paid annually the sum of five dollars or more, or who shall have expended annually five days' labor, under the direction of the president and trustees, shall not be liable to do road labor in any county in the State; any person paying ten dollars, or working ten days annually, shall be exempt from road labor and road tax in the county in which he may reside; the receipt of the president for money paid, or his certificate of labor performed, shall be sufficient evidence of the money paid or the performance of labor. Labor on road.

SEC. 10. All taxes imposed or assessed upon any ferry license, for any ferry across the Illinois river, shall be, and the same is hereby, appropriated to making and keeping in repair the roads and bridges across the Illinois bottom, leading to or from said ferry; which said tax may be discharged in labor under the direction of the supervisor of the district in which said road may be located, and to no other purpose whatever, anything in any law to the contrary notwithstanding. Taxes.

SEC. 11. The road leading from the bluffs westward through Moore's lane, in Scott county, to where it opens upon the prairie in the Illinois bottom, and thence on as direct a route as the nature of the ground will admit, to Mechanic's ferry, upon the Illinois river, be, and the same is hereby, established as a State road, to be opened and kept in repair as other State roads. State road.

APPROVED, February 27, 1847.

AN ACT to locate certain roads in Coles and Moultrie counties, and to assess damages in a certain case. In force,
March 1, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of the Darwin, Charleston and Springfield turnpike road as lies between Springfield, the State house, and Millighan's, at and to mile post number ninety-three, from the Cumberland road at Marshall, in Clark county, which has been vacated, be and the same, as surveyed and located by the commissioners some years since, is hereby reinstated, established and declared a public highway, eighty feet wide, as laid out, to be considered as a part of said turnpike road, not to be altered in all time to come; the balance of said road, which has been vacated, subject to future legislation, and which part so re-established shall be opened, worked, and kept in repair, by the several county commissioners' courts through which the same passes. Darwin, Charleston and Springfield turnpike.

Commissioners. SEC. 2. That Van S. Easton, of Coles county, William Keller and John B. Fulton, of Moultrie county, be, and they are hereby, appointed commissioners to view, mark, survey and locate a State road, four rods wide, from a point on the turnpike from Charleston to Springfield, west of Marshall's grove, in Coles county, commencing on the swell of high prairie, between Marshall's grove and Neely's, about the thirty-ninth or fortieth mile post, thence in a north-west direction, on the most eligible route, to the Okaw River, at or near the mouth of Fuller's branch, thence to Julian, thence to Sullivan, the seat of justice of Moultrie county.

SEC. 3. Said commissioners shall also view, mark, survey and locate a State road, of the width above stated, from angle forty-three on the line of said turnpike, on section line west of Nelson, thence to Sullivan, in said county of Moultrie; and they shall, with great care, view and locate said roads, making them as direct as practicable, with a view to permanent roads of the State, placing at suitable distances three stakes of durable timber, one in the centre and the others at right angles on the margins of the road. They shall meet, a majority of whom may act, as soon as convenient after the passage of this act, take an oath before some justice of the peace of the county of Coles or Moultrie, faithfully, impartially, and to the best of their judgment, to locate said roads. On the first road to be located, a report and plat of the whole line from the turnpike to Sullivan shall be made to each county, Coles and Moultrie, and of the last named road, from angle forty three to Sullivan, to the commissioners' court of Moultrie county; Coles county to pay her proportional part on the first road, calculating the distance in the county, Moultrie county the balance. Said roads to be located and reported, at farthest, by the December term, 1847, [of the] commissioners' court; and the survey and report of each road to be recorded and filed in each court. Each commissioner shall receive one dollar per day, surveyor two dollars, and hands fifty cents, for each and every day necessarily employed. An account of all incidental expenses, for provisions, teams and forage, shall be kept, rendered and paid for by the counties; the county of Coles only paying her proportion on the first named road. So soon as established said road shall be opened, worked and kept in good repair by the several county commissioners' courts, under their order and direction.

Report.

Compensation.

SEC. 4. The commissioners' court of Coles county are hereby authorized to appoint three good, disinterested, men of said county to view and re-value the damages which---Wade has or will sustain by the location and opening of said turnpike road in Coles county, near Neely's, the valuation being made too high evidently; and which so to be awarded being paid, the fences shall be removed, and said road opened full width; the viewers taking into consideration the utility and advantage said road is or will be to said lands, owned by said Wade.

Damages.

APPROVED, March 1, 1847.

AN ACT for the purposes therein named.

In force,
March 1, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John A. Logan, of Jack-Board.
son county, Hiram Pennoyer, of Union county, and J. C. Hodges,
of Alexander county, be, and they are hereby, appointed commis-
sioners to view, mark and locate a State road from Sparta, in Ran-
dolph county, to Thomas Ferrill's plantation, in Union county.

SEC. 2. Said commissioners, after being duly sworn before some To be sworn.
justice of the peace, shall, as soon as practicable thereafter, proceed
to perform the duties as required by this act, avoiding as much as
possible damage to private property. Said commissioners in a rea-
sonable time thereafter shall cause to be filed a complete plat in the Plat.
county commissioners' clerk's office of each county through which
said road shall run, which report and plat shall be preserved and
entered on the records of said courts.

SEC. 3. The said commissioners, shall have power to employ a Power of court.
surveyor and such other persons as may be necessary in the survey
and location of said road, and said commissioners and surveyor, and
such other persons so employed, shall be allowed a reasonable com- Compensation.
pensation for the time necessarily employed, out of the treasury of
the respective counties through which said road may pass, in pro-
portion to the time employed in each of said counties in laying out
said road; and when said road is laid out as aforesaid, the county
commissioners' courts of the aforesaid counties shall cause the same
to be opened and kept in repair as other State roads are.

APPROVED, March 1, 1847.

AN ACT to locate a State road and build a bridge.

In force,
Feb'y 27, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas Keyes, Alexan-Board of com-
der Myatt and William McAdams are hereby appointed commis-missioners.
sioners to view, mark and locate a State road from Salem, in Marion
county, to Highland, in Madison county, passing through Keyes'
post, and by McAdams' mill, in Clinton county, upon the most suit-
able ground along said route, pursuing the line of the road leading
from Salem, in Marion county, to Greenville, in Bond county, to the
point where the same crosses the Marion county line, doing as little
injury to private property as possible.

SEC. 2. Said commissioners, or a majority of them, shall meet at When to meet.
Keyes' post on some day previous to the first day of August next,
and after being duly sworn before some justice of the peace, faithfully
to view, mark and locate the said road, shall proceed to do the same
as above described.

SEC. 3. Said commissioners shall make out a map and report of Shall file plat.
said road, and file a certified copy thereof in the county commission-

ers' court of the county of Madison and Marion, and the original in the county of Clinton, with the clerk of the county commissioners' court thereof.

Damages.

SEC. 4. In case any owner of land over which said road shall pass, shall object to the passage thereof and demand damage, said commissioners shall assess the same, and said damages shall be paid out of the treasury of the county in which the said land is situated, with the right of appeal as is provided in the ninety-second section of the revised code, concerning right of way, approved March third, one thousand eight hundred and forty-five.

SEC. 5. The said road, when located, marked and viewed, shall be henceforth deemed a public road, and shall be kept and opened as such.

To build bridge.

SEC. 6. The said Thomas Keyes, and his associates, are hereby authorized to build a bridge across the Okaw river at Keyes' post, in Clinton county, and to charge such customary tolls and rates for crossing the same as may be fixed upon by the said Keyes and the county commissioners' court of Clinton county: *Provided*, that no toll or charge shall be collected from any citizen of the counties of Marion, Fayette, Bond or Clinton, for crossing said bridge, but to them the said bridge shall always be and remain free.

Tolls.

Proviso.

SEC. 7. The owners of said bridge shall be bound at all times to allow persons to cross said bridge with their stock, wagons or whatever else they may desire to cross, without hindrance or unreasonable delay, upon the terms above specified, and he shall keep and preserve the said bridge in good repair so as to afford a speedy and secure a passage across said river: *Provided*, that he shall not be liable for casualties beyond his control; and he shall in consideration of such accommodation to the public, have the exclusive right of crossing the travelling custom for a space of two miles above and two miles below said bridge, for the term of twenty years after the completion of said bridge.

Liability.

SEC. 8. The proprietors of said bridge shall be liable to the county of Clinton for the sum of two dollars each day that the said bridge is allowed to be out of repair, so that the travel cannot be speedily and safely carried on thereby, unless in cases contemplated in the proviso to the preceding section.

Damages.

SEC. 9. The counties through which said road shall pass, shall not, in any event, be required to pay any damage or damages assessed for the right of way along the said route; and that no road shall be opened where damages shall be claimed for the passage of the road, unless they are paid by the said Thomas Keyes and his associates, and nothing in this act to be construed otherwise than as in this section is provided.

SEC. 10. The said bridge shall be completed within three years from and after the passage of this act.

SEC. 11. This act shall take effect and be in force from and after its passage.

APPROVED, February 27, 1847.

AN ACT to locate, re-locate, vacate and establish certain State roads.

In force,
March 1, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the commissioners appointed in section 36, of the act of last session in relation to roads, to locate a road from Equality, in Gallatin county, to Marion, in Williamson county, not having attended to the same, John Lane and John Cain, of Gallatin, and William Pulley, jr., of Williamson county, are hereby appointed commissioners to view, survey, and locate said road as contemplated in said act, who shall, or a majority of them, meet and locate said road, and make report to the commissioners' court of each county as soon as practicable, at farthest by the first Monday of December next, 1847.

SEC. 2. That Duncan Ferguson, of Winnebago county, Philip R. Bennett, of Ogle county, and Charles H. Sutphen, of LaSalle county, be, and they are hereby, appointed commissioners to view, mark, survey, and locate a State road from Rockford, in Winnebago county, to Ottawa, in LaSalle county, through or near the following points: commencing at Rockford, and running thence, on the river road, to the bridge across the Kishwaukee river, thence to the section line two miles east of the third principal meridian, thence along said section line south, to or near the head of Jefferson grove, thence through or near Twin groves, thence to or near the west end of Papaw grove, thence to Earlville, in LaSalle county, near the head of Indian creek timber, thence to Munsontown, and thence to Ottawa, in LaSalle county.

SEC. 3. That James H. Spicer, Michael Engle and J. G. Davidson, of Fulton county, be, and they are hereby, appointed commissioners, to view, mark, survey, and locate a State road, to commence at the town of Astoria, in Fulton county, and running from thence on the nearest and most practicable route to Wentworth's mill, by Duncan's mill, and from thence, on the nearest and most eligible route, to Lewiston, in said county of Fulton. Said commissioners, when they shall commence the location of said road, shall meet at the town of Astoria.

SEC. 4. That Harvey M. Jarboe, Robert Wills and Joseph Barney, of Pike county, be, and they are hereby, appointed commissioners to view, mark, survey, and locate a State road, commencing at the Bridgeport and Newbedford ferry landing, in Pike county, thence west, so as to intersect the county road running through Pearl prairie, to Milton, at the south-west corner of section sixteen, township six south, range two west, thence, on the nearest and best ground, to Joseph Barney's mills, on Bay creek, thence to Pittsfield, in the county of Pike.

SEC. 5. So much of the road now laid out and traveled, leading from the town of Bridgeport, in Scott county, to Wilmington, in Greene county, as lies in the county of Scott, is hereby declared a State road, and the county commissioners of Scott county are hereby authorized and required to keep the same in good repair; and so much of said road as lies in the county of Greene is hereby declared to be a State road, and the county commissioners of Greene county are hereby required to keep said road in good repair.

O, Harrison's, in Monroe co., to Prairie du Pont, in St. Clair co. SEC. 6. That Joseph Levers and J. W. Alexander, of Monroe county, and Isadore Le Compt, of St. Clair county, be, and they are hereby, appointed commissioners to view, mark, survey, and locate a State road, on the nearest and most eligible route for a permanent road, from Obed Harrison's, in Monroe county, to Prairie DuPont, in St. Clair county: *Provided*, that two-thirds of the expenses incurred under the sixth section of this act shall be paid by Monroe county, and one-third by St. Clair county.

Chicago to Dixon's ferry. SEC. 7. That John Windett, John Eglinton and Benjamin F. Fridley be, and they are hereby, appointed commissioners to view, mark, survey, and re-locate a part of the State road leading from Chicago, in Cook county, and crossing Rock river at Dixon's ferry, viz: to commence at the Blackberry bridge, near the house of Solomon Stebbins, in the county of Kendall, and from thence to the bridge on Big Rock creek, near the house of Morris Haddins, in the county of Kendall. Said commissioners to meet at the house of said Solomon Stebbins.

La Salle to Savanna. SEC. 8. That John McLemore and A. M. Worthington, of Whiteside county, Thomas Epperson, jr., of Bureau county, and John H. Henderson, of LaSalle county, be, and they are hereby, appointed commissioners to view, mark, survey, and locate a State road from the town of LaSalle, at the termination of the Illinois and Michigan canal, LaSalle county, to Sterling, on Rock river, Whiteside county, and thence to Savanna, in Carroll county.

La Salle to Grand de Tour. SEC. 9. That Berton Ayres, of LaSalle county, William B. Bruce, of Bureau county, and Daniel Baird, of Lee county, be, and they are hereby, appointed commissioners to view, mark, survey, and locate a State road from the town of LaSalle, termination of the Illinois and Michigan canal, to Grand de Tour, on Rock river, in Ogle county, passing through Perkins' Grove, so as to strike the line between Stephen Perkins' and Jacob Betege's farms, thence passing through Palestine Grove to mills known as Dexter's mills, thence to the terminating point, Grand de Tour.

Chicago to Rockford. SEC. 10. That George A. Knowles and E. F. Colby, of Cook county, and Elijah Wilcox, of Kane county, be, and they are hereby, appointed commissioners to view, mark, survey, and locate a State road, on the most eligible route for a permanent road, from Chicago, thence in a north-west direction towards E. B. Sutherland's, thence crossing the Desplaines river at Brook's bridge, thence passing through and near the centre of Elk grove, thence to Dundee, thence to Pleasant grove, near Smith's tavern, thence to intersect with a State road running through Elgin and Belvidere to Rockford.

Bloomington to Spring Bay. SEC. 11. That Matthew Robb, of the county of McLean, Samuel Arnold and James Boyce, of Woodford county, be, and they are hereby, appointed commissioners to view, mark, survey, and locate a State road from Bloomington, in McLean county, the nearest and best route to Bowling Green, in Woodford county, thence to the school house in Panther creek district, in township twenty-six north, range one, west of the third principal meridian, thence the nearest and best route to Metamora, the county seat of Woodford county, thence to Spring Bay, on the Illinois river. The county commissioners' courts of the respective counties, through which said road shall pass, are hereby authorized to make such

changes in said road from time to time as the public good or convenience may require, in the same manner as is now provided by law for changing county roads.

SEC. 12. That Hamond Shoemaker, William Wilson and Thomas Swigleton, of Monroe county, be, and they are hereby, appointed commissioners to re-view and re-locate so much of the State road leading from Kaskaskia to St. Louis as lies between the branch south of the late residence of Isabella Hill, deceased, in Monroe county, and the point where said road strikes the American bottom, north of the late residence of said Isabella Hill; said commissioners are hereby authorized to re-locate said road as near as they may find it practicable, as follows, to wit: commencing at or near the branch where said road now crosses, south of the late residence of said Isabella Hill, and to run in a northern direction, on the most suitable and convenient ground, until it intersects said road at or near the place where the same road strikes the American bottom on the north of the late residence of said Isabella Hill.

Kaskaskia to
Saint Louis.

SEC. 13. That the fourth principal meridian from Beardstown, on the Illinois river, in the county of Cass, to the point north of where said line strikes the Mississippi river above Rock river, in Rock Island county, be, and the same is hereby, declared a State road four rods wide, a permanent road, to be opened, worked and improved from year to year by the authority of the several county commissioners' courts through which said meridian line may run; and it shall be the duty of the county commissioners' courts of each and every county interested as above, to cause said road to be opened and made passable for travel without delay. Should said line not run on suitable ground to accommodate the public for a permanent road, in the county of Rock Island, and a change may be necessary, the county commissioners of said county are hereby authorized and required to appoint viewers to make a correct location, who shall carefully locate the same to any town or point on said river in the county, return the survey and plot of the same to be recorded, may continue said meridian line north to the Mississippi river, and make a line, diverging at a suitable point in township sixteen or seventeen, to any point on the river in said county.

Fourth principal
meridian declared
a State road.

To be opened
without delay.

Survey and plat
to be recorded.

SEC. 14. That James Russell, Jacob Battenburg, jr., and William McCurdy, of Fulton county, be, and they are hereby, appointed commissioners to view, mark, survey, and locate so much of said road as follows, viz: commencing on said fourth principal meridian line opposite to Moses C. Mathewson's, one mile north-west of the town of Vermont, diverging east, passing through said town of Vermont, and thence running south-west to intersect said meridian line near William McCurdy's.

SEC. 15. That Levi Cantwell, of Sangamon county, Henry C. Rogers, of Menard county, and J. M. Fisk, of Mason county, be, and they are hereby, appointed commissioners to view, mark, survey, and locate a State road from Springfield, in Sangamon county, thence to Claywell's ford, or the "Horse Shoe," on the Sangamon river, thence to Athens, thence to New Market, thence to Walker's Grove, thence to Quiver, and thence to Liverpool, on the Illinois river.

Springfield to
Liverpool.

SEC. 16. The road from Liverpool, on the Illinois river, to Canton, in Fulton county, constructed by the county and individual

Liverpool to
Canton.

citizens, at a heavy expense in grading and making the same a permanent road, is hereby declared a State road, four rods wide, and, at the special instance and request, by petition, of the county commissioners' court and those individuals, citizens who constructed the same, a free public road in all time to come; no toll gates to be erected thereon.

To be free.

Third principal meridian.

SEC. 17. That the third principal meridian line from the north line of Massac county, north to the Illinois river, or to such point on said line south of the Illinois river, in the county of La Salle, as will be suitable, and the true point to diverge from said meridian line, so as to locate and extend a good location to the main ferry landing on said river, to cross into the town of La Salle, over the lower lock, number fourteen, at the termination of the Illinois and Michigan canal, be, and the same is hereby, declared a State road four rods wide.

Commissioners.

Route.

SEC. 18. That William Byrne, G. Tullis and George W. Gilson, of the county of La Salle, be, and they are hereby, appointed commissioners to view, mark, survey and locate a State road from the most suitable and the true point on said third principal meridian line, south of the Illinois river, to the main ferry landing, opposite said town of La Salle, named in the first section of this act, on said river; thence through the bottom on the north side of said river to said town of La Salle, crossing said lock number fourteen; which location shall be made with great care, with a view to a permanent road four rods wide; they shall report their view, survey and location, as soon as practicable after location, to the commissioners' court of La Salle county, to be recorded and carefully filed.

County commrs court of Massac.

SEC. 19. The commissioners' court of Massac county are hereby authorized, and it shall be their duty, to appoint three good men of that county, commissioners to view, mark, survey and locate the southern end of said road, from the point on the north line of said county where said third principal meridian crosses, or from any other point on said line, north or south, that may in their judgment be more suitable to make a good location for a permanent road to the bank of the Ohio river at Metropolis city; which location and survey they shall report to the commissioners' court of Massac county, to be made as soon as practicable thereafter, to be recorded and filed in said office; and it shall be the duty of the commissioners' courts of the several counties interested, through which said road shall pass from the Ohio river to the said town of La Salle, in La-Salle county, to cause said road to be opened without delay, made passable for traveling, and to cause the same to be improved from year to year with a view of making the same one of the main, important roads of the State.

Road; when to be opened.

Bloomington to Farmington.

SEC. 20. That doctor Hobbs, of Bloomington, Palmer Holmes, of Tremont, Abraham Wollaston, of Pekin, and James Mason, of Farmington, be, and they are hereby, appointed commissioners to view, mark, survey and locate a State road from Bloomington to Concord, in McLean county, thence to Mackinawtown, in Tazewell county, thence to Pekin, on the Illinois river, from thence to Farmington, in Fulton county, who shall carefully locate said road; and in making said location, if in their opinion the two points, Tremont and Mackinawtown, can be embraced in running and locating said road without prejudice to the public, they shall locate said road

through those two last named towns, if not, they shall locate otherwise, keeping in view the public good and the permanency of the road.

SEC. 21. That Benjamin F. Gatton, of Mason county, Har-^{Lewiston to}
vey McHenry, of Cass county, James M. Robinson, of Menard^{Petersburg.}
county, and Hugh Lemaster, of Fulton county, be, and they
are hereby, appointed commissioners to view, mark, survey and
locate a State road from the town of Lewiston, in Fulton county,
via Duncan's mills, on Spoon river, thence to Bath, thence to a point
at or near Sycamore ford, on the Sangamon river, thence, on the
nearest and best ground, to Petersburg.

SEC. 22. That George H. Norris, county surveyor of La Salle^{County surveyor}
county, be, and he is hereby, authorized and required to make an^{of La Salle.}
alteration and re-location of a part of the State road, formerly laid out
from Peru, on the Illinois river, via Dixon, Elkhorn Grove, and on
to Galena, by G. W. Gilson and others—that part of said road next
to Peru; that is to say, said commissioner and surveyor shall com-
mence at the north-east corner of the east half of the south-west
quarter of section number eight, township thirty-three north, range
one east, running from thence north one half mile on land lines, and
from thence in a right line to a point where the present road crosses
the west line of section five, and from thence on a direct line to the
east point of Lost Grove, and from thence as by the present location.
Said road shall be surveyed and staked out; a report, with a plot of
same returned to the commissioners' court of the county, recorded
and filed. So much of the original location and road, as changed
by this act and re-location, is annulled and vacated.

SEC. 23. That Warren Smith and Reuben Austin, of Du Page^{From Du Page}
county, and Horace N. Goodrich, of the county of Kane, be, and^{county to Kane}
they are hereby, appointed commissioners to view, mark, survey^{county.}
and locate a State road, commencing on the highway near the house
of Cornelius Jones, in the county of Du Page, and running thence
to some point on Fox river, in the county of Kane, within two miles
south of Stapp's mill.

SEC. 24. That so much of the State road (known as the Wabash^{Part of Wabash}
and Shelbyville road) as lies between the south-west corner of sec-^{and Shelbyville}
tion number thirty-three, in township eight north, range twelve^{road vacated.}
west, in the county of Crawford, and so much of said road as lies
between James Matheny's, in Crawford county, and Benjamin Ma-
theny's, in Jasper county, be, and the same is hereby, annulled and
vacated.

SEC. 25. That Robert Debaw, of Jasper county, and R. G. Mor-
ris and W. B. Baker, of Crawford county, be, and they are hereby,
appointed commissioners to re-locate said road, as follows: begin-
ning at the south-west corner of section thirty-three, thence west,
as near as practicable, having respect to private property, to the
south-west corner of section thirty-one, in township eight north, of
range twelve west, and thence to connect the old location by the
nearest and best route, thence from James Matheny's, in Crawford
county, to the town of Bellair, thence to Benjamin Matheny's, in
Jasper county, on the nearest and best route.

SEC. 26. That Joseph Wilson and Newton Paxton, of Du Page^{From school-}
county, and William H. Hawkins, of Kane county, be, and they are^{house in DuPage}
hereby, appointed commissioners to view, mark, survey and locate^{county, to Auro-}
^{ra, in Kane co.}

a State road from the school house near Langdon Miller's, in Du Page county, to Aurora, in Kane county.

SEC. 27. That George D. Howe and George W. Wait, of Du Page county, and John H. Hood of Kane county, be, and they are hereby, appointed commissioners to view, mark, survey and locate a State road commencing at a point on the public highway, east of the house of John H. Hood, running thence to the Big Slough bridge, near the residence of William C. Todd, in Du Page county.

Lacon road.

SEC. 28. That Joshua Evans and Livingston Roberts, of Marshall county, and — Evans, of Livingston county, be, and they are hereby, appointed commissioners to view, mark, survey and locate a State road, beginning at the ferry at the town of Lacon, in Marshall county, running in a north-eastwardly direction, to Roberts' Point in said county, from thence to Big Sandy, from thence to Long Point, on the Big Vermilion, in Livingston county, and from thence, on the nearest and best route to intersect the State road running from Peru, in La Salle county, to Lafayette, in Indiana.

Main street, in
city of Quincy,
extended.

SEC. 29. That Main street in the city of Quincy, Adams county, be, and the same is hereby extended from Wood street, in said city, one mile east, eighty-two and a half feet in width, so that the south line or margin of said road shall strike the north-west corner of the Quincy cemetery; and that John Wood, John Wood, 2d, and William Thompson, or a majority of them, be, and they are hereby, appointed commissioners to view, mark, survey and locate a road, eighty-two and a half feet in width, commencing at the north-west corner of the said Quincy cemetery, or the termination of the said Main street, as extended to the cemetery by the provisions of this section, running thence eastwardly, or a north-east direction, as the case may require, on the most eligible and best way, so as to intersect the present road leading out from Quincy near the residence of I. N. Morris; which road when so located shall forever remain a public State road, of the width above stated, eighty-two and a half feet.

Edwardsville to
Decatur.

SEC. 30. That Stephen Wilcox, jr., of Madison county, Burrell Tetrick, of Macoupin county, Stephen Briggs, of Montgomery county, Calvin Goudy, of Christian county, and B. R. Austin of Macon county, be, and they are hereby, appointed commissioners to view, mark, survey and locate a State road from Edwardsville, in Madison county, to Decatur, in Macon county, as follows, viz: commencing at Edwardsville, thence to Staunton, in Macoupin county, thence to Butler Seward's, in Montgomery county, thence to Taylorville, and thence to Stonington, in Christian county, thence to Decatur, in Macon county. Said commissioners, or a majority of them, shall meet at Edwardsville, and shall, with great care, view out and establish said road, four rods wide, on the most eligible and suitable ground for a permanent road, making the same from point to point given as direct as practicable; at suitable distances they shall place three stakes of durable timber, one in the centre, and the others at right angles on the margins of the road.

Width.

Spring Bay to
Hennepin.

SEC. 31. That William E. Buckingham, of the county of Woodford, Levi Wilcox, of the county of Marshall, and Guy Pool, of the county of Putnam, be, and they are hereby, appointed commissioners to view, mark, survey and locate a State road from Spring Bay, in Woodford county, via Lacon, in the county of Marshall, thence to Hennepin, in Putnam county, on the Illinois river.

SEC. 32. That Jesse Brown, John L. Turner and John L. Road from Havana, of Mason county, be, and they are hereby, appointed commissioners to view, mark, survey and locate a State road from Havana, on the Illinois river, to the point on the road leading from Liverpool to Springfield, where said last named road shall cross Crane creek, uniting at that point with a view of crossing on that bridge in said county of Mason. Said commissioners shall locate said road with care, on the best ground, with a view to a permanent road, and in doing which they shall endeavor to do as little damage to individual property as practicable, and to reconcile and conciliate the views of citizens owning property on the line of said road to the location which they shall make.

SEC. 33. It shall be the duty of each and every board of commissioners appointed by this act, to view and ascertain the most eligible route, and make as direct and straight location, shortening the distance, as practicable, with a view to the erection of bridges across streams and water courses and the permanency of the road; and in every case they shall ascertain, as far as practicable, where damages are or will be claimed by individuals through whose lands any of the roads hereby authorized may run, and report the probable amount thereof, and the names of the owners of such lands and property, to the county commissioners' court of the county in which said lands may be situated at the time of making their report, as now required by law; the act amending the general road law passed at the present session.

SEC. 34. Said commissioners shall return a plat with the courses and distances, with such remarks in their report as they may deem material in relation to the road, for the information of the court and the interest of the public, returning a plat to each commissioners' court, of the whole road through which the same may pass, giving an entire view of the location of the whole road, which shall be filed and recorded.

SEC. 35. It shall be the duty of the commissioners, in each and every case, appointed in this act, to locate the road or roads authorized and required by this act as soon as practicable, without unnecessary delay; and they shall report to the commissioners' courts as soon thereafter as convenient, and each and every road shall be located and reported at farthest by the first Monday in December, A. D. 1847.

SEC. 36. In all cases the compensation shall be as follows, viz: Compensation. to a commissioner, one dollar per day; to a surveyor, two dollars; to chain-men, axe-men and other hands, fifty cents per day, for each and every day necessarily employed, exclusive of incidental expenses for provisions, forage and the hire of teams. They shall keep an accurate account of the time employed and the amount of expenses incurred, the person to whom due, and certify the same to the court or courts, as the case may require; the whole being added, each county shall allow and pay the amount due, in proportion to the distance or length of road in each county, as contemplated and certified by the road commissioners, a full exhibit being made to each court, which allowance shall be made by the respective courts.

SEC. 37. It shall be the duty of each and every commissioners' court, through whose county any road herein authorized and established may pass, to cause the same to be opened, worked and kept

Duties of commissioners.

Counties to keep roads in repair.

in good repair, as far as the road labor of the hands in the county and the means of the county will justify and extend.

County comm'rs
of Christian co.

SEC. 38. The commissioners' court of Christian county shall, without further delay, allow and pay to the individuals who may hold the certificates of indebtedness, the proportional part of the cost and expenses, as certified and signed by the board of commissioners, who some years since extended the location of the Darwin and Charleston turnpike from Charleston to Springfield, through the counties of Coles, Shelby, Macon, Christian and Sangamon. The collector of taxes for said county is hereby authorized and required to receive said certificates of indebtedness, signed by said board of commissioners, when presented, as far as the county revenue due from any individual shall extend on said county of Christian, and the amount thereof, on presentation by him to the court, shall pass to his credit, and subsequent collectors shall receive them in like manner as above stated.

Collector of
Christian co.

Comm'rs to be
sworn; by whom

SEC. 39. In all cases of road commissioners or viewers appointed by the State or any county commissioners' court, it shall be lawful for them to be sworn in by a justice of the peace or any clerk or other officer authorized by law to administer oaths.

Ottawa to Peru.

SEC. 40. That William Byrne, Thomas W. Hennessy and Daniel Cosgrove, be, and are hereby, appointed commissioners to re-locate a part of a State road leading from Ottawa to Peru, commencing at the west side of section four, in township thirty-three, range one east of the third principal meridian, running through the north half of section five, to the Pecumsogin creek, where the road is now traveled, passing near the centre of the north-east fourth of section six, thence south-west to intersect the State road where now laid out, at or near the bridge on the farm of Isaac Hardy. To be left with said commissioners to select the most eligible ground.

APPROVED, March 1, 1847.

In force,
Febry. 28, 1847.

AN ACT to establish a road from Fox to Rock river.

SECTION 1. *Be it enacted by the Peop'e of the State of Illinois, represented in the General Assembly,* That the section line between townships thirty-nine (39) and forty (40), fifty feet upon such line from Mill creek, on Fox river, in Kane county, to Rock river, on the line dividing the counties of Ogle and Lee, be, and the same is hereby, declared a public highway, and the county commissioners' courts are directed, if practicable, to cause said road to be opened and worked in the same manner that other State roads are opened and kept in repair.

SEC. 2. This act shall take effect from and after its passage.

APPROVED, February 28, 1847.

AN ACT to amend "An act to locate a State road from Batavir, in Kane county, to David Bennett's, in DuPage county," approved February 11, 1845.

In force,
Feb'y 28, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the acts of Jacob A. Galusha and David Bennett, in viewing, surveying, marking, and locating said road in the absence of Isaac Wilson, be, and the same are, declared to be as good and lawful, and the said road so laid out, and located, shall be deemed and taken to be a public highway, according to the true intent and meaning of said act to which this is amendatory, and the laws of this State, as though all of said commissioners had joined in the duties assigned them by said act.

APPROVED, February 28, 1847.

AN ACT to establish a State road from Rockford northerly to the State line.

In force,
Feb'y 28, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Selden M. Church, Nathaniel Howland and Joseph G. Prentice, of Winnebago county, be, and they are hereby, appointed commissioners to view, mark and locate a State road, from Rockford, in said county, to the State line, in the direction of Beloit, in Wisconsin territory, by the way of Roscoe, in said county of Winnebago. Said commissioners, or any two of them, shall meet at the "Rockford House," in Rockford aforesaid, on the first Monday of May next, or so soon thereafter as practicable, and after being duly sworn, shall proceed to view, mark and locate said road, on the nearest and best route. The said commissioners shall be required to return to the clerk of the county commissioners' court of said county, a report and correct plat of said road, which report and plat shall be entered on the records of said court, and the county commissioners' court of Winnebago county shall cause the same to be opened and kept in repair as other State roads are. The commissioners appointed under this act, or such other persons employed by them, in the duties enjoined upon them by this act, shall receive a just and reasonable compensation for the time necessarily employed in viewing, marking and locating said road, to be paid out of the county treasury of Winnebago county.

APPROVED, February 28, 1847.

AN ACT concerning a portion of the Northern Cross railroad.

In force,
Feb'y. 26, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of the Northern Cross railroad as lies within the county of Adams, be, and the same is hereby, declared a State road, and the county commissioners'

court of said county of Adams is required to keep the same in repair, as other State roads are.

Reservation.

SEC. 2. *And be it further enacted*, That the above grant is upon this express condition, that, if at any time the State, or any company, or persons, authorized by the Legislature, should, at any time, wish to use or occupy said railroad, they are hereby authorized to take possession of and use the same, anything in this act to the contrary notwithstanding.

SEC. 3. This law to be in force from and after the passage thereof.

APPROVED, February 26, 1847.

In force,
Feb. 17, 1847.

AN ACT to legalize roads laid [out] by order of the county commissioners' court of Lake county, from June first to the tenth day of September, 1845 inclusive.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That all roads laid [out] by the order of the county commissioners' court of the county of Lake, in the State of Illinois, from the first day of June, 1845, to the tenth day of September, 1845, inclusive, be, and the same are hereby, legalized.

APPROVED, February 17, 1847.

In force,
February 19, 1847.

AN ACT to establish a State road from Bath, in Mason county, to Waverly, in Morgan county.

Board.

Route.

Duty.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That B. H. Gatten, of Bath, in Mason county, James Connover, of Cass county, and C. F. Turner, of Morgan county, be, and they are hereby, appointed commissioners to re-view, mark and locate a State road from Bath, in Mason county, to Waverly, in Morgan county, on the nearest and best route, and always taking into consideration the general locality of the country, and doing as little damage to private property as possible.

SEC. 2. Said commissioners shall meet at the town of Bath, in Mason county, on the third Monday in May next, or as soon thereafter as practicable, and after first being duly sworn before some justice of the peace, faithfully to discharge the duties required by this act, shall then proceed to re-view, mark and locate said road, and shall make report to the county commissioners' clerk of their respective counties, and by them to be filed, and particularly noting the principal points in said road; and said road, when laid out, shall be a public highway, and the county commissioners' courts of said counties shall cause the same to be opened sixty feet wide, and worked and kept in repair as other State roads; each of said counties to pay an equal portion of the expense of locating said road.

Surveyor.

SEC. 3. The said road commissioners shall employ some suitable person to survey said road, and also suitable persons for chain-car-

riers ; and the said surveyor and chain-carriers shall be sworn before some justice of the peace, to faithfully perform their several duties as surveyors and chain-carriers.

SEC. 4. The following compensation shall be allowed, as follows, Compensation.
to wit: the commissioners of said road shall be allowed one dollar per day for their services, the surveyor shall be allowed two dollars per day, and the chain-carriers shall receive one dollar per day, for their services, when actually engaged in their several duties. This shall apply to all of said officers herein named.

APPROVED, February 19, 1847.

AN ACT declaring a certain road therein named a State road.

In force,
Feb'y 16, 1847.

Whereas, the road leading from Liverpool, to Canton, in the county of Fulton, has been constructed across the bottom, near and adjoining Liverpool, at an expense of many thousand dollars, one thousand four hundred dollars of which has been paid by the county of Fulton, and about three thousand dollars paid by voluntary contributions from the citizens of said county, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said road leading from Liverpool to Canton, in the county of Fulton, as now laid out, be, and the same is hereby, declared a State road; and the county commissioners of said county shall cause the said road to be opened, at least four rods in width, and worked as other State roads, and it shall not be lawful for any person, persons, or corporation, to erect any toll-gate, demand or receive any toll or tax, from passengers or travelers, upon said roads. This act to be in force from and after its passage. Prohibitions.

APPROVED, February 16, 1847.

AN ACT to locate a State road from Knoxville, in Knox county, to Macomb, in McDonough county.

In force,
Feb'y. 15, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Abrah Wheeler, of the county of Knox, Alanson Bostwick, of the county of Warren, and Hugh Erwin, of the county of McDonough, be, and they are hereby, appointed commissioners to view, mark, and lay out a road from Knoxville, in Knox county, via Abingdon, in said county, and Green Bush, and Pierce and Chapins' mill, in Warren county, thence by Walker's old mill, to Macomb, in McDonough county. Commissioners.

SEC. 2. The said commissioners shall meet at Knoxville, in Knox county, on the third Monday in May next, or as soon thereafter as practicable, and after being duly sworn by some justice of the peace, faithfully to discharge the duties required of them by this Duties.

act, shall proceed to view, survey, locate and mark out said road between the points above named, on the nearest and best ground, by marking trees in the timber, and setting up stakes, or ploughing, in the prairie.

Map and report. SEC. 3. The said commissioners, as soon after the location aforesaid, shall make a map and report thereof, giving the distance and description of the same, and shall file [the same] in the offices of the clerks of the county commissioners' courts of the several counties through which it passes, which shall be recorded in said courts.

Compensation. SEC. 4. The county commissioners courts of each county shall pay their respective proportions of the expenses of said view, and they shall cause said road to be opened and kept in repair.

APPROVED, February 15, 1847.

In force,
Febry. 15, 1847.

AN ACT to establish a State road from Springfield to Alton.

Board. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George Foster, of Sangamon county, Fordyce E. Shaw, of Macoupin county, and Robert Dunlap, of Madison county, be, and they are hereby, appointed commissioners to locate a State road, as follows, to wit: from the city of Springfield, in Sangamon county, via Waverly, in Morgan county, New Hartford, Cummington, Chesterfield and Brighton, in Macoupin county, to the city of Alton, in Madison county.

Duties. SEC. 2. Said commissioners, or a majority of them, shall meet in the city of Springfield, on the first Monday of April next, or within thirty days thereafter, and after calling to their assistance a competent surveyor, two chain-bearers, and one axe-man or marker, and after having been duly sworn before some justice of the peace, faithfully to discharge the duties required of them by this act, shall proceed to survey, mark and locate said road; and having so located the same, shall, within forty days thereafter, return to the office of the clerk of the county commissioners' court of each of said counties through which said road may pass, one copy of the plat of the survey, together with the field notes thereof, which, together with the report of said commissioners, shall be spread upon the records of the said county commissioners' clerks.

Report. Co. comm'rs. SEC. 3. The county commissioners court of each county through which said road shall have been located, shall, at the first term of said courts which shall have been held after the location as aforesaid, notify the supervisors of roads, in the districts in which said road is laid out, of the location aforesaid, and cause the same to be opened to the width of four poles immediately, and kept in repair as other roads are.

Private property SEC. 4. In locating said road, the commissioners shall have due regard to private property, doing as little injury as is consistent with public interest.

Compensation. SEC. 5. The said commissioners and surveyor shall each receive, as compensation for their services, the sum of two dollars per day,

and the chain-men and axe-man, each, one dollar per day, which shall be paid out of the county treasuries of the respective counties, on the order of the county commissioners, in proportion to the distance which said road may run in each county.

APPROVED, February 15, 1847.

AN ACT in relation to a public road therein named.

In force,
Feb'y 15, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the State road from a point leading from Cairo to Jonesboro, south of Mansville Mills, on Mill creek, thence to Saratoga, in Union county, located by Mansville, Hunsaker and Dougherty, be, and the same is hereby, annulled and vacated. Vacation.

SEC. 2. The commissioners appointed in section thirty-six of the act of last session, in relation to roads, to locate a road from Equality, in Gallatin county, to Marion, in Williamson county, not having attended to the same, John Lane and John Cain, of Gallatin county, and William Pulley, jr., of Williamson county, are hereby appointed to view, mark, and locate said road, as contemplated in said act, who shall, or a majority of them, meet in the town of Equality, in Gallatin county, on the first Monday in June next, or as soon thereafter as practicable, and take an oath before some justice of the peace, to faithfully perform their duties as such commissioners, shall proceed to mark, re-view, and locate said road, and shall make report to the county commissioners' courts respectively, of Gallatin and Williamson counties, at their September term, one thousand eight hundred and forty-seven. New board.

SEC. 3. The county commissioners' courts of Gallatin and Williamson counties, shall make a reasonable allowance to the said Lane, Cain and Pulley, not exceeding two dollars per day, for their services as road commissioners, to be verified to the said courts; each county allowing its proportional part. Compensation.

SEC. 4. This act to take effect from and after its passage.

APPROVED, February 15, 1847.

AN ACT to establish a State road from Jacksonville to Alton.

In force,
Feb'y. 15, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the road leading from Jacksonville, Morgan county, to Alton, Madison county, by the way of Brown's Point, Morgan county, Athensville and Greenville, Greene county, Delaware and Simmons' ford, Jersey county, be, and the same is hereby, established as a State road, and to be worked and kept in repair as other State roads. This act to take effect from and after its passage.

APPROVED, February 15, 1847.

In force, AN ACT to re-locate so much of the State road as lies between Worcester post office, in
Feb'y 13, 1847. in McDonough county, and the county line of Hancock county.

Board. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Hickerson Wright, of the county of Hancock, Thomas A. Brooking and Henry A. J. Averill, of McDonough county, be, and they are hereby, appointed commissioners to re-view and re-locate so much of the State road as lies between Worcester post office, in the county of McDonough, and the county line of Hancock county.

Meeting. SEC. 2. Said commissioners shall be required to meet at Worcester post office, in McDonough county, on the 20th day of May, 1847, or so soon thereafter as convenient, and after having been duly sworn by some justice of the peace, said commissioners shall be required to appraise and assess damages, if any be claimed by any land holders, through whose lands said road may be located, and make a report of the same to the county commissioners' court of McDonough county in writing; which report shall be made at the first term of said court, after said road shall have been re-located.

Damages. SEC. 3. The county commissioners' court of McDonough county shall allow the damages so assessed, unless they are of the opinion that the amount awarded be too great, in which case, said commissioners shall appoint two discreet householders upon their part, two to be chosen by the person claiming such damages, and the four shall choose a fifth, whose award shall be final, and the same shall be paid by the county commissioners' court of said county, before the opening of said road.

Compensation. SEC. 4. Said county commissioners shall allow a reasonable compensation for services rendered under this act.

APPROVED, February 13, 1847.

In force, AN ACT to repeal certain laws that provide for the location of a certain State road in the
Feb'y 16, 1847. county of Marion.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the act entitled "An act to locate a State road therein named," and providing for the location of the same, so as to commence at the bluff, two miles east of Vandallia, in the county of Fayette, running thence on the nearest and best route, to intersect the road leading from Fairfield, in Wayne county, to McLeansboro', in Hamilton county, at or near the Lower Hickory hill, in the said county of Hamilton, as also the twenty-ninth section of the act entitled "An act for the location of certain State roads therein named, and for the vacation of other State roads," be, and the same are hereby, repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

APPROVED, January 16, 1847.

AN ACT to provide for the sale of a part of the Northern Cross railroad.

In force,
Feb'y 16, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Governor is authorized and required to sell, at public auction, to the highest bidder, for legal evidences of State indebtedness, (payable in three equal annual instalments, the first instalment to be paid on the day of sale,) all of that part of the Northern Cross railroad, lying between Springfield and the Illinois river, and the right and title of the State to the land on which said road was constructed, together with the right of way, acquired or possessed by the State, including the depot, engine house, shop, and lots on which they are situated, in Springfield; the depot and lots on which it stands, in Berlin; the frame house erected in Jacksonville, for offices, and the lots on which it stands; the engine house and turn-table near Jacksonville, and the lot on which they are situated; the depot in Morgan city, and the lots on which it stands; the engine house, turn-tables and depot at Meredosia, and the lots on which they are situated; the ground on which the said road was located, north of the public square, in Jacksonville; the lateral road to Naples; the depot in Naples, and lots on which it stands; with all the appurtenances to the lots, road, buildings, and offices, above enumerated, together with all the locomotives, engines, cars, and other implements used upon said road, the purchaser to have, hold, use and enjoy the same, as hereinafter provided.

SEC. 2. The said sale shall be made at the State house, in Springfield, and notice of the time, place and terms of the sale, shall be published for six weeks in succession, before the day of sale, in two newspapers published in Springfield, one in the city of Chicago, one in Jacksonville, one in the city of St. Louis, Missouri, and in such other papers out of the State, and for such length of time as the Governor may direct. The sale shall be opened by one o'clock, p. m. and closed at four o'clock, p. m., and if one-third of the purchase money shall not be paid on the day of sale, and bonds with sufficient security to satisfy the Governor, be given for the other annual instalments, the sale shall be void, and the Governor shall, on the next and every succeeding day, (Sabbath excepted,) offer the said property for sale, in the manner, upon the terms, and at the time of day above required, until the price bid shall be paid or secured as provided for in this act: *Provided, however,* that the Governor may, in order to avoid unlawful combinations and prevent frauds, postpone the sale to a subsequent day, he giving reasonable notice of the sale on such subsequent day.

SEC. 3. Upon the payment, (or giving security for the payment as provided for in this act,) of the purchase money for the aforesaid property, the purchaser shall be invested with all the right and title of the State of Illinois, in and to the same, and the Governor shall execute a deed under the great seal of State therefor, which deed, or a copy thereof, certified by the secretary of State, shall be evidence of the sale and conveyance of said property. The property conveyed shall be described in the deed as it is described in the title papers to the State: *Provided, always,* that the bonds called and

known as the Macalister and Stebbins bonds, shall not be received in any part payment for said road and appurtenances.

Substitution.

SEC. 4. The purchaser of the aforesaid property shall be substituted for and stand in the place of the subscribers for the stock created by the act entitled "An act to incorporate the Sangamon and Morgan railroad company," approved on the first day of March, one thousand eight hundred and forty-five, and all the rights, powers, privileges and immunities granted to, or conferred upon, the said subscribers, by said act, are hereby granted to and conferred upon the said purchaser, subject to the limitations and provisions contained in this act. The purchaser shall be deemed and held to be the subscriber for the whole of the capital stock authorized to be subscribed for by the second section of said act, and the sum paid for the property purchased shall be divided among all the shares of said stock, and applied equally upon each share.

Directions.

SEC. 5. When the said property shall have been paid for, (or the payment secured to the State, as in this act provided,) as aforesaid, the purchaser shall nominate to the Governor five persons, whom the Governor shall appoint as directors of the corporation, to continue in office until the next annual election, under the provisions of the aforesaid act; and the directors so appointed shall have and exercise all the rights and powers conferred upon the directors provided for in the act aforesaid. The said directors shall not be required to be owners of any portion of the stock. Said directors shall not be paid by the State.

Elections.

SEC. 6. The directors first appointed shall fix the time for the annual election of successors, and successors shall be elected as provided for in the act of incorporation to which this is an amendment.

SEC. 7. The said corporation when organized, shall, without delay, proceed to repair the road from Springfield to the Illinois river, and to place the same in a condition to be safely used for the transportation of persons and property upon the same. The location of the road shall be changed through the town of Jacksonville, so as to pass upon the line originally located, north of the public square.

Change of location.

SEC. 8. If the corporation shall not, within three years from the passage of this act, repair the road to the Illinois river, so that the same may be safely used for the transportation of persons and property thereon by the force of steam, the sale authorized by this act shall be void, the purchaser shall forfeit all rights by virtue of the purchase, and the whole property, as it may then be situated, shall revert to the State, and all the rights of the corporation shall vest in the Governor for the use of the State.

Forfeitures.

SEC. 9. The eighth, twelfth and sixteenth sections of the act entitled "An act to incorporate the Sangamon and Morgan railroad company," approved on the first of March, one thousand eight hundred and forty-five, are hereby repealed.

Repeal'g clause.

SEC. 10. The profits arising from the use of the road and appurtenances shall be applied, first, to the payment of dividends upon the capital invested in the purchase and repair of said road, until said profits shall be equal to six per cent. per annum upon the said capital, and the excess shall be applied to the payment of interest on the uncanceled canal bonds, used to pay for the completion of

Use of profits.

said road, in the year one thousand eight hundred and forty-one, until said excess shall amount to six per cent. per annum upon the canal bonds aforesaid; after which, said excess shall be divided among the stockholders of this corporation.

SEC. 11. The forfeiture provided for in the eighth section of this act shall not operate or take effect until the questions of fact, upon the existence of which said forfeiture is to accrue, shall be ascertained by a legal proceeding, before the circuit court of Morgan or Sangamon county.

SEC. 12. The time, after which the State may become the owner of the road and property sold under the provisions of this act, provided for by the eighteenth section of the act of incorporation to which this is an amendment, shall be forty years from the first of Term. January, one thousand eight hundred and forty-eight.

SEC. 13. The said corporation shall not have the right to sell Not to sell materials. any iron, engine, car, or other property connected with said road, without the consent of the Governor.

SEC. 14. The provision herein, with reference to the uncanceled canal bonds, is substituted for, and made in lieu of, the provisions heretofore made, creating a lien upon the said road for the payment of said bonds, and the provisions creating or acknowledging the said lien are hereby changed, so that the provision herein shall stand as the only security for the payment of said bonds, as against the said road or the appurtenances thereof; but in other respects, the said bonds shall stand upon the same footing as they would if they had been used for any other purpose.

APPROVED, February 16, 1847.

AN ACT to amend the several acts relating to public roads.

In force,
Jan'y 17, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county commissioners' Days' labor. courts of the several counties in this State, at the March term annually, shall fix, and cause to be entered upon the records of their courts, a certain number of days, not exceeding five, nor less than two, that each and every able-bodied man, between the ages of twenty-one and fifty years, (men of color not excepted,) shall labor on some public road within the county, during the year; and it shall be the duty of the clerk of said court to certify the number of days fixed, as aforesaid, in the notice to each supervisor appointed in said county.

SEC. 2. If the county commissioners' court of any county shall Road tax. deem it expedient, a road tax may be assessed and collected in said county, not exceeding twenty cents on each hundred dollars worth of taxable property, real and personal, as contemplated in the second section of the act passed in relation to public roads, approved February 28, 1845.

SEC. 3. It shall be the duty of the commissioners' court, upon Petitions. the presentation of a petition for the location or re-location of a road, to inquire into the manner in which the same was gotten up, if

signed by individuals through whose lands the same may pass, as far as practicable, and require proof, and be satisfied that the notice required by law of such intended application had been given, in view that the owners of lands which may be damaged shall have notice thereof.

Viewers.

SEC. 4. Viewers, in locating a road, shall ascertain, as far as practicable, where damages will be claimed, and report the names of the individuals claiming to the commissioners' court at the time of making their report; and it shall be incumbent on the owners of property, by themselves or agents, to inform the court, at the term at which the road-viewers shall report of such, their claims for damages; and no damages shall be allowed, unless claim be made to the court as aforesaid, or to the supervisor, commissioner or superintendent appointed to open the road, as now provided by law; after a road shall be opened, and no claim for damages being set up, the State or county shall not be liable for any damages whatever.

Supervisor.

SEC. 5. It shall be the duty of the supervisor to take good care of ploughs, road-scrapers, and other implements, belonging to the county, in their charge, not to lend the same, unless to the supervisor to aid him in constructing public roads. Any person who shall violate the provisions of this section shall forfeit and pay a fine of not less than three or more than ten dollars.

Labor.

SEC. 6. Each and every supervisor shall call out his hands, and do a fair proportion, at least a moiety, of the labor due, in the spring of the year, in putting the roads and bridges in good repair, and grading the same where most needed.

Damage.

SEC. 7. If any person shall impair any public road by ploughing, or turning a current of water so as to saturate or wash the same, he shall forfeit and pay a fine, for the first offence, five dollars, and for a second offence, ten dollars, and at that rate for every additional offence; which fines shall be collected either before a justice of the peace, or by indictment in the circuit court, as now provided by law.

Exemption.

SEC. 8. Where any city or town has or may become incorporated under a special law, or under a general law, authorizing citizens to become incorporated, no requisition in labor or money from the citizens thereof, on property within said corporation, shall be required to improve roads in the country different from the grant in the charter, but they shall be required to work and pay a tax to improve the streets and roads, and such improvements as shall be specified in the charter, or within the limits of the incorporation, so long as the charter or incorporation shall remain in full force. In all towns and villages not incorporated, the citizens thereof shall contribute in labor, and by a tax, when assessed by the county commissioners' court of the county, in improving the streets of the town, or village, and the public roads of the road district, including the same under the supervisor.

Timbers on bridges.

SEC. 9. In constructing bridges, where they are not covered, the supervisor shall secure the same, by placing on the margins of the plank heavy hewed timber, or by erecting substantial hand-rails, so as to prevent damage by wagons running off, or otherwise.

Land owners.

SEC. 10. Any person owning lands in an adjoining or detached county, in the State, other than the one in which he resides, may work out his road tax in person, or by an able and good substitute,

under any one supervisor in such county where the lands lie, voluntarily attending when a supervisor shall be working on roads; which privilege is hereby granted to non-residents to work out their road taxes under any supervisor in the county where the lands are situated, and the supervisor shall give to such person a receipt for the same, and shall make return thereof to the county commissioners' court, on settlement of his accounts: *Provided*, that it shall not be incumbent on any supervisor to notify such person out of his district.

SEC. 11. Sections fourteen, sixteen, eighteen and nineteen, of chapter ninety-three, in the revised laws of last session, (in the act of February 20, 1841,) approved March 3, 1845, are hereby re-enacted, and declared to be in full force, except the first section, and so much of the eighth section, as this act changes. Sect'ns in force.

SEC. 12. Immediately on the passage of this act, it shall be the duty of the public printer to publish the same and transmit a copy or number, by mail, to the clerk of the commissioners' court of each county in the State, to be laid before the courts, at the March term, one thousand eight hundred and forty-seven, to enable them to act thereon.

APPROVED, February 17, 1847.

AN ACT concerning the Muddy Saline reservation, in Jackson county.

In force,
Feb'y 28, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Muddy Saline reservation, with its appurtenances, is hereby vested in the county of Jackson, for the purposes hereinafter expressed.

SEC. 2. Bennington Boon, of Jackson county, is hereby appointed agent. Agent.
ed agent for said county, who shall proceed, within twelve months from the passage of this act, to advertise the said lands for sale, in tracts of not more than eighty acres, and, after advertising the time and place of sale for six weeks in two public newspapers of this State, sell the same to the highest bidder for cash in hand, or on a credit of nine months, twelve months and eighteen months, under the direction of the county commissioners' court of said county; the purchaser executing bonds to the county of Jackson, with approved security, and a mortgage on the premises; which bonds and mortgages, when so executed, shall be delivered by the agent aforesaid to the treasurer of said county.

SEC. 3. That the proceeds of the said reservation shall be expended under the direction of the county commissioners' court in and for Jackson county, on the road leading from Murphysborough to Jenkins' landing, on the Mississippi river, on that part which lies in the swamp. Proceeds; how expended.

SEC. 4. The agent appointed under the provisions of this act shall receive a fair compensation for his services out of the county treasury of Jackson county, not exceeding one dollar per day for the time he may be employed, and, before entering upon his duties, shall give bond to the county commissioners of said county for the

faithful discharge of his duties and the payment of all moneys that may come to his hands, as such commissioner, to the county commissioners' court. This act to be in force from and after its passage.

APPROVED, February 28, 1847.

In force, Febry. 23, 1847. AN ACT to authorise the Governor of this State to sell the salt wells and coal lands in the Saline Reserve, in Gallatin county, for State indebtedness, and for other purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of the Governor of this State to cause to be sold at public auction, in Equality, in this State, to the highest bidder, for internal improvement bonds, or railroad scrip, (excluding the Macalister and Stebbins' bonds,) issued by authority of this State, all the salt wells, coal lands, and other lands in the Gallatin county "Saline reserve," not heretofore disposed of; and to make and execute proper and sufficient patents or deeds of conveyance to the purchaser or purchasers thereof: *Provided*, that he shall give notice of such sale for three months previous thereto in some public newspaper or newspapers in this State, and, also, in Pittsburg, Charlestown, Kanawha county, Virginia, Cincinnati, and Louisville: *Provided, also*, before said sale shall be advertised, the present lessee or lessees of said salt wells, and other lands, shall file their written surrender of their leases in the office of the auditor of this State, for the time unexpired since the first day of December last, from which time the said lessee or lessees shall be exonerated from the payment of rent by their bond or bonds subsequently accruing.

Notice.

Appraisement.

SEC. 2. Said salt wells, and lots connected therewith, and said coal lands and other lands belonging to the State within said reserve, shall be appraised by commissioners to be appointed by the Governor, not exceeding three in number, who shall take an oath faithfully to value and appraise the said wells and lands in such State indebtedness, and to make a return thereof to the auctioneer or agent appointed by the Governor to sell the same, which shall be regarded as the minimum price of said wells and lands, below which they shall not be sold.

SEC. 3. The line of pipes and other fixtures belonging to the State, of whatever kind or description, shall, also, be appraised and sold as aforesaid.

Separate sales.

SEC. 4. The wells and the lots set apart for the use of the same, the coal lands or lots, and the other lands owned by the State in the said "Saline reserve," shall be offered for sale and sold separately: *Provided*, that it shall be lawful to sell the pipes and other fixtures in connection with such well, or wells, or well lots, with which they may most properly and conveniently connect.

Trustees.

SEC. 5. That the school trustees of township number nine south, in range seven east, in consideration that the school section in said township was sold by the State as a part of the "Saline reserve," whereby said township possesses no school lands or township school fund whatever, shall be allowed to purchase at such

sale salt wells, coal lands, or other lands or property hereby authorized to be sold, to the value of one section of land, at Congress price, and the school trustees of township number nine south, in range number eight east, (which school section was also sold by the State as a part of the "Saline reserve," whereby the said last township possesses no school funds or township school fund whatever, except a half section granted to it by the State,) shall also be allowed to purchase at such sale such lands, or wells, or property, to the value of one half section of land, at Congress price. The Governor shall convey the same, without further consideration, to the trustees of said townships respectively, for the use of the inhabitants thereof, for the use of schools forever, and the same shall be held, and may be sold, or otherwise disposed of, like other school lands in this State.

SEC. 6. The agent to be appointed by the Governor under this Duty of agent. act shall make return to the auditor of State of all his proceedings under this act, and shall grant certificates of purchase for each tract of land, &c., sold, which shall be sufficient evidence of purchase until patents are issued therefor.

SEC. 7. The Governor shall pay the expenses of carrying out Expenses. the provisions of this act out of the contingent fund placed at his disposal by law.

APPROVED, February 23, 1847.

AN ACT to provide for an equitable distribution of the school fund in Effingham and In force,
Clay counties. Febry. 16, 1847.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the school commissioners of Effingham and Clay counties be, and they are hereby, required to divide and apportion the school, college, and seminary fund, of said counties, for the year eighteen hundred and forty-six, among the several townships of said counties, upon the enumeration made on or before the first Monday of March, eighteen hundred and forty-seven. This act to take effect from and after its passage.

APPROVED, February 16, 1847.

AN ACT for an equitable division of the school funds belonging to T. 1 S., R. 5 W., T. In force,
1 N., R. 1 W., and T. 1 N., R. 2 W. Febry. 28, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the school commissioner of Clinton county be, and he is hereby, required, on or before the first Monday of December next, to pay and deliver over to the school commissioner of Washington county, such proportion of the money, and evidences of indebtedness, by him received from the School comm'r of Clinton co.

sale of section sixteen, in township one south, of range five west of the third principal meridian, as the inhabitants of said township, residing in the county of Washington, bear to the whole number of inhabitants of said township; the number of inhabitants in said township to be ascertained by actual enumeration, or in such other manner as may be agreed upon by the school commissioners of said counties of Clinton and Washington; and it shall be the duty of the school commissioner of Washington county, upon the receipt of the money and evidences of indebtedness as aforesaid, to give a receipt therefor, and the same shall remain in his hands for the use of the inhabitants of said township, residing in Washington county, and subject to the same laws and regulations as now are, or hereafter may be, in force in reference to other funds in his hands.

Washington co. SEC. 2. That the school commissioner of Washington county be, and he is hereby, required, on or before the first Monday of December next, to pay and deliver over to the school commissioner of Clinton county, such proportion of the money and evidences of indebtedness, by him received from the sale of sections sixteen, in township one north, of range one west, and one north, of range two west of the third principal meridian, as the inhabitants of said last named townships, residing in the county of Clinton, bear to the whole number of the inhabitants of said last named townships, respectively, the number to be ascertained in like manner as is provided in the first section; and it shall be the duty of the school commissioner of Clinton county, upon the receipt of the money and evidences of indebtedness as aforesaid, to give receipts therefor; and such money and evidences of indebtedness shall remain in his hands for the use of the inhabitants of said last named townships, respectively, residing in Clinton county, and subject to the same laws and regulations as now are, or hereafter may be, in force in reference to other funds in his hands.

APPROVED, February 28, 1847.

In force,
February 16, 1847.

AN ACT in relation to the apportionment of the school fund in the county of Ogle.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the time of taking the census, and making the reports, provided for in the sixty-eighth and seventieth sections of chapter ninety-eight of the revised statutes of this State, for the year one thousand eight hundred and forty-six, in the school districts and townships in the county of Ogle, shall be extended to the second Monday of March, one thousand eight hundred and forty-seven, and that the apportionment of all school funds belonging to said townships be made on the census so taken.*

APPROVED, February 16, 1847.

AN ACT to legalize the sale of certain school lands in Sangamon county.

In force,
February 26, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sale of the several lots of land in section number sixteen, in township number sixteen north, in range number seven, west of the third principal meridian, as set apart by John W. Taylor, Edward Perkins, and M. K. Anderson, acting as trustees of said township, situate and being in the county of Sangamon and State of Illinois, and which sale was made by the school commissioner of said county according to the provisions of the present school law, is hereby declared legal to all intents, and shall be as binding upon all the parties concerned therein, as if the aforesaid trustees had been elected under the act entitled "Schools," approved February 26, 1845.

SEC. 2. This act shall have effect from and after its passage.

APPROVED, February 26, 1847.

AN ACT to refund taxes paid on school lands, sec. 16, township 10 N., R. 12 W., in Clark county.

In force,
February 4, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the auditor of public accounts is hereby authorized and directed to draw a warrant on the treasury of State for eighteen dollars, in favor of the treasurer of school funds for township ten north, range twelve west, in Clark county—money improperly paid for taxes on lands in section sixteen of that township.

SEC. 2. The county commissioners' court of said county of Clark shall issue an order on the treasury of the county, in favor of the treasurer of the school funds of said township, for twenty-three dollars—money improperly paid as taxes on the school lands in said township.

APPROVED, February 4, 1847.

AN ACT to authorize the school commissioner of La Salle county to sell a part of section 16, township 33 N., R. 3 E.

In force
March 1, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the trustees of schools in township thirty-three, range three east, in LaSalle county, together with Joel Strawn, Calvin W. Ells and Josiah E. Shaw, shall, as soon as practicable after the passage of this act, cause the north twenty acres of the west half of the south-east quarter of Cemetery.

section sixteen, in said township, to be appraised at its present cash value; they shall also ascertain as near as possible the amount of damages, if any, which the residue of said section would sustain in consequence of the said twenty acres being laid out as burying ground, as hereinafter provided, which amount of damages shall be added to the present cash value of the said twenty acres; before making such appraisement, the said appraisers shall take an oath faithfully and impartially to value such tract of land, and the damages as aforesaid, which oath may be taken before any justice of the peace in said county, who is hereby authorized to administer the same; a certified statement of said appraisement shall be filed with the school commissioner of the county.

Valuation filed.

Duty of comm'r.

SEC. 2. As soon as the said school commissioner shall receive the said certificate of appraisement, he is authorized and required to sell the said tract of land to the trustees of the town of Ottawa, in LaSalle county, to whom he shall issue a certificate of such sale for the appraised value aforesaid, in the manner now provided for the sale and conveyance of common school lands, and the auditor shall, in like manner and with like effect, issue a patent for the same to the said trustees, reciting in such patent that the same is made in pursuance of this act, and for the purposes therein expressed.

Duty of trustees.

SEC. 3. The trustees of said town are authorized to purchase and hold the said tract of land for the purpose of a burying ground, and shall have power to lay off a suitable portion of the said burying ground into lots for the use of families, and to sell to individuals the exclusive privilege of occupying said lots for the purposes aforesaid, subject, however, to such rules, regulations and restrictions as said trustees may prescribe.

Exemption.

SEC. 4. The said tract of land, and every interest therein, shall always be exempt from taxation, and from sale on execution, or other process, and be subject at all times to the supervision and direction of the corporate authorities of the said town, who may make such rules and regulations in relation to the same as may be deemed proper.

Money paid.

SEC. 5. The trustees of said town, upon receiving the said certificate of purchase from the school commissioner, shall pay to him, for the use of the inhabitants of said township, the amount of the appraised value of said tract of land, as ascertained as aforesaid: *Provided*, that the said school commissioner may loan the same to said trustees for not less than one nor more than five years; and the president of the board of trustees is authorized, for and in behalf of said board, to execute a bond to said commissioner, for the use of such inhabitants, to secure the payment of the said sum, with interest thereon at the rate of eight per cent. per annum, payable half yearly in advance.

Special tax.

SEC. 6. It is hereby made the duty of the corporate authorities of said town, whenever it shall be necessary so to do, to levy a special tax to pay the sum borrowed as aforesaid, and interest, which tax shall be kept separate from all other taxes, and be collected in gold or silver.

APPROVED, March 1, 1847.

AN ACT authorizing the auditor to refund to the school commissioner of Whiteside county a certain amount of money therein specified. In force, Jan'y 16, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the auditor of public accounts be, and he is hereby, authorized and required, when he shall issue his certificate to the collector of the county of Whiteside, in favor of the school commissioner of said county, for the annual *pro rata* dividend of the school, college, and seminary fund due to said county for the year 1846, to add to said annual dividend the additional sum of ninety-seven dollars and sixty-five cents.

APPROVED, January 16, 1847.

AN ACT to establish and maintain common schools.

In force,
March 1, 1847.

COMMON SCHOOL LANDS.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section number sixteen in every township, granted to the State by the United States for the use of schools, and such sections as have been or may be granted as aforesaid, in lieu of section number sixteen, and also the lands which have been or may be selected and granted as aforesaid, for the use of schools, to the inhabitants of fractional townships in which there is no section numbered sixteen, or where such section shall not contain the proper proportion for the use of schools in such fractional township, shall be held as common school lands; and the provisions of this act, referring to common school lands, shall be deemed to apply to the lands aforesaid.

THEIR PROTECTION AND PRESERVATION.

SEC. 2. The common school lands shall be under the care and superintendence of the county commissioners of the several counties in which the same may be situated, except, that when any township lies in more than one county, the business of the township, relating to common school lands, shall be transacted in the county containing the greater portion of such land.

SEC. 3. If any person shall, without being duly authorized, cut, fell, box, bore, destroy, or carry away, any tree or sapling, standing or being upon any school lands, such person shall forfeit and pay, for every tree or sapling so felled, boxed, bored, destroyed, or carried away, the sum of eight dollars; which penalty shall be recovered, with costs of suit, by action of debt or assumpsit, before any justice of the peace having jurisdiction of the amount claimed, or in the circuit court, either in the corporate name of the trustees of schools of the township to which the land belongs, or by action *quintam*. in the name of any person who will first sue for the same; one half for the use of the person suing; the other half to the use of the

township aforesaid. When two or more persons shall be concerned in the same trespass, they shall be jointly and severally liable for the penalty herein imposed. Every trespasser upon common school lands shall be liable to indictment, and upon conviction, fined in three times the amount of the injury occasioned by said trespass, and shall stand committed as in other cases of misdemeanors. All penalties and fines imposed under the provisions of this section, shall be paid to the township treasurer, and be added to the principal of the township fund: *Provided*, that, when recovered by action *qui tam*, one-half only shall be so paid.

STATE SUPERINTENDENT—HIS DUTIES.

SEC. 4. The secretary of State shall be *ex officio* State superintendent of common schools. He shall counsel and advise, in such manner as he may deem most advisable, with experienced and practical school teachers, as to the best manner of conducting common schools, and the most approved text books, maps, charts, apparatus, &c., to be used in common schools.

SEC. 5. Said superintendent shall have the supervision of all the common schools in the State, and shall be the general adviser and assistant of school commissioners in the State. He shall, from time to time, as he may deem for the interest of schools, address circular letters to said commissioners, giving advice as to the best manner of conducting schools, constructing school houses, and procuring competent teachers. He shall recommend the most approved text books, maps, charts, and apparatus, and shall urge uniformity in the use of the same, as well as in the manner of conducting common schools throughout the State, and shall use his influence to reduce to a system of practical operation, the means of supporting common schools in the State.

SEC. 6. The State superintendent shall, before the fifteenth day of December of every year, in which shall be holden a session of the General Assembly, report to the Governor the condition of common schools in the several counties of the State; the number of schools in each county; the number taught by males; the number taught by females; the number of scholars in attendance, and the number of white persons in the county under twenty-one years of age; the amount of township funds; the amount annually expended for schools; the amount raised by an *ad valorem* tax; the number of school houses, together with such other information and suggestions, as he may deem important in relation to the school laws, and the means of promoting common school education throughout the State; which report shall be laid before the General Assembly at each regular session.

SCHOOL COMMISSIONERS—THEIR ELECTION AND DUTIES.

SEC. 7. On the first Monday in August next, and on the first Monday in August every two years thereafter, there shall be elected, by the qualified voters of each and every county in this State, a school commissioner, who shall execute the duties herein required. He shall, before entering upon his duties, execute a bond, payable to the people of the State of Illinois, with two or more responsible freeholders as security, to be approved by the county commissioners' court, in a penalty of not less than twelve thousand dollars, to

be increased at the discretion of said court, in proportion to his responsibilities, conditioned that he will faithfully perform all the duties of school commissioner of said county, according to the laws which are or may be in force; by which bond the obligors shall be bound jointly and severally, and upon which an action, or actions, may be maintained by trustees of schools, of the proper township, for the use of any township or fund injured by any breach thereof; and joint action may be had for two or more funds: *Provided*, that the same person shall not be eligible to the office of school commissioner for more than two terms in succession.

SEC. 8. The bond required in the foregoing section shall be in the following form, viz:

State of Illinois, } ss. Know all men by these presents, that Bond.
county. } we, A. B., C. D., and E. F., are held and firmly bound, jointly and severally, unto the people of the State of Illinois, in the penal sum of dollars, to the payment of which we bind ourselves, our heirs, executors and administrators, firmly by these presents. In witness whereof, we have hereunto set our hands and seals this day of , A. D. 184 .

The condition of the above obligation is such, that if the above bounden A. B., school commissioner of the county aforesaid, shall faithfully discharge all the duties of said office according to law, and shall deliver over to his successor in office, all moneys, books, papers, and property in his hands, as such school commissioner, then this obligation to be void; otherwise to remain in full force and virtue.

A. B. [seal.]

C. D. [seal.]

E. F. [seal.]

SEC. 9. All contests in relation to the election of school commissioner shall be decided as in relation to sheriffs and coroners; and when any vacancy shall occur in the office of school commissioner, the county clerk shall give ten days' notice of the time and place of holding an election to fill such vacancy. He shall be elected by the legal voters of the county, and shall give bond and security as required in section seven hereof. The school commissioner shall attend to the collection of all demands in favor of the several townships of his county, to settling the accounts of trustees, and, when necessary, to the prosecution of suits for the recovery of demands in favor of townships; and all moneys collected shall be applied as required by law.

SEC. 10. The said commissioner shall be liable to removal by the county commissioners' court, for any palpable violation of law, or omission of duty; and if a majority of said court shall at any time be satisfied that his bond is insufficient, it shall be his duty, on notice, to execute a new bond, to be payable, conditioned and approved as the first bond; the execution of which shall not affect the old bond, or the liability of the security thereon.

SEC. 11. The said commissioner shall provide four well bound books, to be known and designated by the letters A, B, C, D, for the following purposes: In book A, he shall record, at length, all petitions presented to him for the sale of common school lands, and the plats and certificates of valuation made by or under the direc-

tion of "trustees of schools," and the affidavits in relation to the same. In book B, he shall keep an account of all sales of common school lands; which account shall contain the date of sale, name of purchaser, description of land sold, and the sum sold for. In book C, he shall keep a regular account of money received for land sold and paid to township treasurer, or loaned out as authorized in section twenty hereof; the person to whom loaned; the time for which the loan was made; the rate of interest; the names of securities, when personal security is taken, or, if real estate be taken as security, a description of said real estate; the list of sales, and the accounts of each township fund, shall be kept separate. In book D, he shall keep a just and true account of all moneys received, from whom received, and on what account, and the amount paid out; to whom, when, and on what account paid out. Said books shall be paid for out of the county treasuries of the counties in which they are used.

Township treasurer.

SEC. 12. Whenever the bond of the township treasurer, approved by the trustees of schools, as required by law, shall be delivered by said trustees of schools, or either of them, to the school commissioner, he shall receive and file the same with the papers of his office. He shall then, on demand, deliver to said township treasurer, who shall receipt therefor, all moneys in his hands belonging to said township; also, all bonds, mortgages, notes and securities, of every description, for money or property due or to become due the township, and all papers, of every description, belonging, or in any wise pertaining, to the rights or interest of the said township; and the receipt of said treasurer to the school commissioner shall be carefully preserved, and shall be evidence of the facts therein stated, as well in favor of the school commissioner as against the township treasurer.

Apportionment of funds.

SEC. 13. Upon receipt of the amount due upon the auditor's warrant, as provided in section 108 hereof, the school commissioner, shall apportion said amount, (except the two per cent. allowed said commissioner, as in section 112 hereof,) to the several townships and fractional townships in his county, according to the number of white children under the age of twenty years, and shall pay over the distributive share belonging to each township and fractional township as aforesaid, to the respective township treasurers, or other authorized persons, annually. When there is a county school fund in the hands of any school commissioner, it shall be loaned, and the interest applied, as provided in this section.

County superintendent; duties.

SEC. 14. Each and every school commissioner shall be *ex-officio* superintendent of common schools in his county, and shall, by himself or some other qualified person, as often as practicable, visit all the townships in his county, inquire into the condition and manner of conducting schools in the same, and use his influence to carry out the system proposed by the State superintendent. He shall, also, by himself, or with such person or persons as he shall associate with him, upon application, examine all persons proposing to teach a common school in any township in his county, in relation to his or her moral character, and touching his or her qualifications properly to teach orthography, reading in English, penmanship, arithmetic, English grammar, modern geography, and the history of

the United States, or any, or either of them, as the applicant shall propose; and if he shall find such person of a good moral character, he shall give him or her a certificate of good moral character, and shall certify the branches which he finds him or her qualified properly to teach; which certificate shall be good and valid in said county for one year from the date thereof. The said school commissioner shall, also, by the first day of November before each session of the General Assembly, communicate to the State superintendent all such information upon the subject of common schools in the county, as the State superintendent is bound to embody in his report to the Governor, and such other information as the State superintendent shall require. The certificate to the teacher may be in the following form, viz:

I, _____ school commissioner of _____ county, having examined A. B., do certify that he (or she) sustains a good moral character, and that he (or she) is well qualified to teach the following branches, viz: (Here insert the branches.)

Witness my hand, this _____ day of _____ 18 .

C. D., *School Commissioner.*

SEC. 15. The school commissioner, upon his removal or resignation, or at the expiration of his term of service, and, upon his death, his representatives, shall deliver over to his successor in office, on demand, all moneys, books, papers, and personal property, belonging to the office, or subject to the control or disposition of the school commissioner.

SALE OF COMMON SCHOOL LANDS.

SEC. 16. When the inhabitants of any township or fractional township shall desire the sale of the common school land of the township or fractional township, they shall present a petition to the school commissioner of their county for the sale thereof, which petition shall be signed by at least two-thirds of the white male inhabitants of the township or fractional township, of and over twenty-one years of age. The signing of the petition must be in the presence of two citizens of the township, after the true meaning thereof shall have been explained, and when signed, an affidavit shall be affixed thereto, by the two citizens, proving the signing in manner aforesaid, and stating the number of white male inhabitants in the township or fractional township, of and over twenty-one years of age; and said petition so proved shall be delivered to the school commissioner for his action thereon: *Provided*, that no whole section shall be sold in any township containing less than fifty inhabitants; and common school lands in fractional townships may be sold when the number of inhabitants and the number of acres are in the ratio of fifty to six hundred and forty, but not before.

SEC. 17. When the petition and affidavits are delivered to the school commissioner as aforesaid, he shall notify the trustees of school of said township thereof, and said trustees of schools shall immediately proceed to divide the land into tracts or lots, of such form and quantity as will produce the largest amount of money; and after making such division, a correct plat of the same shall be made, representing all divisions, with each lot numbered and defined, so that its boundaries may be for ever ascertained. Said trustees

of schools shall then fix a value on each lot, having regard to the terms of sale, certify to the correctness of the plat, (stating the value of each lot per acre, or per lot, if less than an acre,) and referring to and describing the lot in the certificate, so as fully and clearly to distinguish and identify each lot; which plats and certificate shall be delivered to the school commissioner, and shall govern him in advertising and selling said lands.

Subdivided.

SEC. 18. In subdividing common school lands for sale, no lot shall contain more than eighty acres; and the division may be made into town or village lots, with roads, streets or alleys between them and through the same; and all such divisions, with all similar divisions heretofore made, are hereby declared legal; and all such roads, streets and alleys, public highways.

Terms of sale.

SEC. 19. The terms of selling common school land shall be to the highest bidder, for cash, with the privilege to each purchaser of borrowing from the school commissioner the amount of his bid for any period not less than one nor more than five years, upon his paying interest and giving security, as in case of money loaned by township treasurer, as provided in section fifty hereof.

Place of sale.

SEC. 20. The place of selling common school lands shall be at the court house of the county in which the land is situated; and upon the reception, by the school commissioner, of the plat and certificate of valuation from the trustees of schools, he shall proceed to advertise the said land for sale, in lots, as divided and laid off by said trustees, by posting notices thereof in at least six public places in the county, forty days next anterior to the day of sale, describing the land, and stating the time, terms, and place of sale; and if any newspaper is published in said county, said advertisement shall be printed therein for four weeks before the day of sale; if none, then it shall be sold under the notice aforesaid.

Manner of sale.

SEC. 21. Upon the day appointed, the school commissioner shall proceed to make sales, as follows, viz: He shall begin at the lowest number of lots, and proceed regularly to the highest, till all are sold or offered. No lot shall be sold for less than its valuation by the trustees of schools. Sales shall be made between the hours of ten o'clock, A. M. and six o'clock, P. M., and may continue from day to day. The lots shall be cried separately, and each lot cried long enough to enable any one present to bid who desires it.

To be re-sold.

SEC. 22. Upon closing the sales each day, the purchasers shall each pay or secure the payment of the purchase money, according to the terms of sale; or in case of his failure to do so by ten o'clock the succeeding day, the lot purchased shall be again offered at public sale, on the same terms as before; and if the valuation or more shall be bid, shall be stricken off; but if the valuation be not bid, the lot shall be set down as not sold. If the sale is or is not made, the former purchaser shall be required to pay the difference between his bid and the valuation of the lot; and in case of his failure to make such payment, the school commissioner may forthwith institute an action of debt or assumpsit, in his name, as commissioner, for the use of the inhabitants of the township where the land lies, for the required sum; and upon making proof, shall be entitled to judgment, with costs of suit; which, when collected, shall be added to the principal of the township fund. And if the amount claimed does not exceed one hundred dollars, the suit may

Penalty of default.

be instituted before a justice of the peace; but if more than that sum, then in the circuit court of any county wherein the party may be found.

SEC. 23. All lands not sold at public sale, as herein provided Private sale. for, shall be subject to sale at any time thereafter, at the valuation; and school commissioners are authorized and required, when in their power, to sell all such lands at private sale, upon the terms at which they were offered at public sale.

SEC. 24. In all cases where common school lands have been Unsold land. heretofore valued, and have remained unsold for two years after having been offered for sale, or shall hereafter remain unsold that length of time, after being valued and offered for sale in conformity with this act, the trustees of schools of the townships, where such lands are situated, may vacate the valuation thereof by an order to be entered on book A, of the school commissioner, and cause a new valuation to be made, if in their opinion the interests of the township will be promoted thereby. They shall make said second valuation in the same manner as the first was made, and shall deliver to the school commissioner a plat of such second valuation, with the order of vacation to be entered as aforesaid; whereupon said school commissioner shall proceed in selling said land in all respects as if no former valuation had been made: *Provided*, that the second valuation may be made by the trustees of schools without petition, as provided in section seventeen hereof.

SEC. 25. Upon the completion of every sale by the purchaser, Certificate. the school commissioner shall enter the same on book B, and shall deliver to the purchaser a certificate of purchase, stating therein the name and residence of the purchaser, describing the land and the price paid therefor; which certificate shall be evidence of the facts therein stated.

SEC. 26. At the March term of the county commissioners' Report. court, in each year, the school commissioner shall present to the court of his county: First, a statement showing the sales of school lands made subsequent to the previous March term, which shall be a true copy of the sale book, (book B). Second, statements of the amount of money received, paid, loaned out, and on hand, belonging to every township or fund, under his control; the statement of each fund to be separate. Third, statements copied from his loan book, (book C) showing all the facts in regard to lands which are required to be stated upon the loan book; all of which the county commissioners' court shall thereupon examine and compare with the vouchers, and the said county commissioners, or so many of them as may be present at that term of the court, shall be liable individually to the fund injured, and to the securities of said school commissioner, in case judgment be recovered of said securities, for all damages occasioned by a neglect of the duties, or any of them, required of them by this section: *Provided*, nothing herein contained shall be construed to exempt the securities of said school commissioner from any liability as such securities, but they shall still be liable to the fund injured, the same as if the county commissioners were not liable.

SEC. 27. The school commissioner shall, also, at the time afore- Report to aud'r. said, transmit to the auditor of public accounts, a full and exact transcript from book B, of all the sales made subsequent to each

report. The statements in section twenty-six hereof, required to be presented to the county commissioners' court, shall be preserved and copied by the clerk of said court, into a well bound book kept for that purpose, and the list transmitted to the auditor shall be filed, copied, and preserved in like manner.

Patent for land. SEC. 28. Every purchaser of common school land, shall be entitled to a patent from the State, conveying and assuring the title. Patents shall be made out by the auditor from returns made to him by the school commissioner. They shall contain a description of the land granted; shall be in the name of and signed by the Governor, countersigned by the auditor, with the great seal of the State affixed thereto by the secretary of State, and shall operate to vest in the purchaser a perfect title in fee simple. When patents are executed as herein required, the auditor shall note on the list of sales the date of each patent, in such manner as to perpetuate the evidence of its date and delivery, and thereupon transmit the same to the school commissioner of the proper county, to be by him delivered to the patentee, his heirs or assigns, upon the return of the original certificate of purchase; which certificate, when returned, shall be filed and preserved by the school commissioner.

Duty of auditor. SEC. 29. Purchasers of common school lands, and their heirs and assigns, may obtain duplicate copies of their certificates of purchase, and of patents, upon filing affidavit with the school commissioner in respect to certificates, and with the auditor in respect to patents, proving the loss or destruction of the originals; and such copies shall have all the force and effect of the originals.

Duplicate patents.

TOWNSHIPS—TRUSTEES OF SCHOOLS.

SEC. 30. Each congressional township, as surveyed and laid off by authority of the United States, is hereby established a township for school purposes. The business of the township shall be done by three trustees, to be elected by the legal voters of the township; and the said township, upon the election of trustees as aforesaid, as hereinafter provided for, shall be a body corporate and politic, by the name and style of "Trustees of schools, of township , range ,," according to the number. The said corporation shall have perpetual existence, and shall have power to sue and be sued, to plead and be impleaded, in all courts and places where judicial proceedings are had. Said trustees of schools shall continue in office two years, and until others are elected and enter upon the duties of their office.

Eligibility. SEC. 31. No person shall be eligible to the office of trustee of schools, unless he shall be twenty-one years of age, and a resident of the township.

Election of trustees. SEC. 32. The election of trustees of schools shall be on the second Saturday of January biennially, but in townships where such election has not been heretofore had, or where there are no trustees of schools, the election of trustees of schools may be holden on any Saturday, notice being given as hereinafter in this section required. The first election shall be ordered, if in townships already incorporated, by the trustees of schools of the township, the township treasurer giving notice of the time and place, by posting up notices of the same, at least ten days previous to the day of election. If there are no trustees of schools in a township,

the clerk of the county commissioners' court shall cause the notice to be given as aforesaid. For all subsequent elections, the like notice shall be given by the trustees of schools, through the township treasurer: *Provided*, that if, upon any day appointed as aforesaid, for election aforesaid, the said trustees of schools, or judges, as specified in section thirty-four hereof, shall be of opinion, that, on account of the small attendance of voters, the public good requires it; or if the voters present, or a majority of them, shall desire it, they shall postpone said election until the next Saturday, at the same place and hour; at which meeting the voters shall proceed as if it were not a postponed or adjourned meeting; *And provided, also*, that, if notice shall not have been given as above required, then and in that case said election may be ordered as aforesaid, and holden on the first Saturday in February, notice thereof being given as aforesaid.

SEC. 33. That if the inhabitants of a township shall choose, ^{Townships.} they may, at any meeting as in section thirty-two aforesaid, adopt the school commissioner to be in place of and discharge the duties of trustees of schools, in relation to keeping and loaning the school funds of the township; in which case the school commissioner, in the management of the township school funds, shall be in all respects governed by the law in relation to the management of said funds by the trustees of schools and township treasurers.

SEC. 34. Two of the trustees of schools of incorporated townships, if present, shall act as judges, and one as clerk of said election. If said trustees shall fail to attend, or refuse to act when present, and in townships unincorporated, the qualified voters present shall choose from among themselves three judges and a clerk to open and conduct said election.

SEC. 35. The time and manner of opening, conducting, and ^{Elections.} closing said election, and the several liabilities appertaining to the judges and clerks, and to the voters separately and collectively, and the manner of contesting said elections, shall be the same as prescribed by the general election laws of this State, defining the manner of electing magistrates and constables, so far as applicable, subject to the provisions of this act: *Provided*, the judges may close said election at four o'clock, P. M.

SEC. 36. No person shall vote at said election unless he possesses the qualification of a voter at a general election. In case of a tie at such election, it shall be determined by lot, on the day of the election, by the judges thereof.

SEC. 37. When a vacancy shall occur in the board of trustees of schools, the remaining trustees shall order an election to fill such vacancy upon any Saturday; notice to be given as required in section thirty-two hereof.

SEC. 38. Upon the election of trustees of schools, the judges of ^{Poll-books.} the election shall cause the poll-book of said election to be delivered to the school commissioner of the county, with a certificate thereon, showing the election of said trustees, and the names of the persons elected; which poll-book, with the certificate, shall be filed by said commissioner, and shall be evidence of such election.

SEC. 39. The said trustees of schools, elected as aforesaid, shall ^{Trustees.} be successors to the trustees of school lands appointed by the county commissioners' court, and of trustees of schools elected in town-

ships under the provisions of "An act making provisions for organizing and maintaining common schools," approved February 26, 1841, and of "An act to establish and maintain common schools," approved February 26, 1845. All rights of property, and rights and causes of action, existing or vested in the trustees of school lands, or trustees of schools, appointed or elected as aforesaid, for the use of the inhabitants of the township, or any part of them, shall vest in the trustees of schools as successors, in as full and complete a manner as was vested in the school commissioner, the trustees of school lands, or the trustees of schools, appointed and elected as aforesaid.

Meeting.

SEC. 40. The trustees of schools shall meet quarterly, on the first Saturday of January, April, July, and October, and oftener if necessary, at some convenient place in the township, for the transaction of business; at any of which meetings, two shall form a quorum. At every quarterly meeting they shall strictly examine all books, notes, mortgages, securities, funds, and papers of the corporation.

Distribution of funds.

SEC. 41. At their quarterly meetings on the first Saturday of January, April, July, and October, trustees of schools shall proceed to ascertain the amount of funds in the hands of the township treasurer, subject to distribution, viz: the interest from the school, college, and seminary fund designated in this law as the common school fund, and the interest, rents, issues, and profits arising from the township fund, and shall apportion the same, after setting apart to the school commissioner the three per cent. due him out of the township fund, as allowed in section 122 hereof, and to the township treasurer the two per cent. allowed him in section aforesaid, as follows: First, for the payment for the books of the township treasurer, authorized by law, if any thing be due for that purpose; second, for the payment of any reasonable charges for dividing common school lands, and making plats, &c., as required in section eighteen hereof; third, the balance on hand to each district from whose treasurer a certificate has been received, according to law, as required in section 90 and 91 hereof, certifying that said district is indebted for a library purchased for the district, or upon schedule or schedules returned according to law, or for district treasurer's books, or for fuel or furniture as specified in section 70, and the total amount due, or certifying any, or either, or all of the above facts, and the amount due to each of said districts. They shall apportion the balance, as aforesaid, according to the number of white children under the age of twenty years, in each of said districts respectively; but they shall apportion to no district more than is certified by the district treasurer to be due from his district, out of such funds, for any, or either, or all of the purposes above in this section specified; which amount, so apportioned, shall be paid by the township treasurer, on demand, to the district treasurers of the respective districts entitled thereto. Said trustees of schools shall also make such orders, not contrary to law, for the collection of the funds due, as in their discretion shall be most for the interest of said funds.

Apportionment.

Treasurer of trustees.

Bond; form of.

SEC. 42. At their first meeting, the trustees of schools shall appoint a treasurer of the board, to be called township treasurer, who shall not be one of their own number. Said treasurer shall, before entering upon his duties, execute a bond, with two or more

frecholders as securities, payable to the trustees of schools of the township for which he was appointed treasurer, with a sufficient penalty to cover all liabilities which may be incurred, conditioned faithfully to perform all the duties of township treasurer in township, range, according to law. The security shall be approved by the trustees of schools of the proper township, and the bond shall be delivered by said trustees to the school commissioner of the county. And every township treasurer appointed subsequent to the first, as herein provided, shall execute bond with security, as is required of the first treasurer.

SEC. 43. The bond required in the foregoing section, shall be in the following form, viz :

State of Illinois, }
 county. } ss. Know all men by these presents, that Form of bond.
 we, A. B., C. D., and E. F., are held and firmly bound, jointly and severally, unto the trustees of schools of township in said county, in the penal sum of dollars, for the payment of which we bind ourselves, our heirs, executors and administrators, firmly by these presents. In witness whereof, we have hereunto set our hands and seals, this day of , A. D. 184 .

The condition of the above obligation is such, that if the above bounden A. B., township treasurer of township, range, in the county aforesaid, shall faithfully discharge all the duties of said office according to law, and shall deliver to his successor in office all moneys, books, papers, securities, and property, in his hands as such township treasurer, then this obligation to be void; otherwise to remain in full force and virtue.

A. B., [SEAL.]
 C. D., [SEAL.]
 E. F., [SEAL.]

Approved and accepted by G. H., }
 I. J., } *Trustees of schools.*
 K. L., }

SEC. 44. The trustees of schools shall cause all moneys for the Money. use of the township to be paid over to the township treasurer. They shall have power, also, to remove the township treasurer at any time, for any failure or refusal to execute or comply with any orders or requisitions of said trustees of schools, legally made, or any other improper conduct in the discharge of his duty as treasurer. They shall also have power, for any failure or refusal as aforesaid, to sue him upon his bond, as provided in section 62 hereof. In townships where there is but one school district, said trustees shall perform the duties of school directors, and shall be liable in that capacity as school directors.

SEC. 45. Trustees of schools shall have power, and it shall be Districts. their duty, to lay off the township or fractional township into school districts, suited to the wishes and convenience of a majority of the inhabitants in each district, distinctly defining the same by boundaries and number, to be filed with and recorded by the county commissioners' clerk, in a book kept for that purpose, to be paid for out of the county treasury; to provide for the safe keeping of all funds and property of the township; to purchase and hold real estate in their corporate name, for the use of the inhabitants of the district

where such real estate is situated, whereon to erect school houses; such real estate being first selected as provided in the 109th section of this act, and to be paid for by the school directors out of the fund distributed to such district, or as shall be determined under the provisions of section 109 hereof; to adopt by-laws directing the mode of conducting schools, and defining and regulating the powers and duties of all officers and agents of the corporation wherein they are not regulated by this act, and to do and perform all other acts necessary to the support and maintenance of common schools in their townships, in conformity with the provisions of this act: *Provided*, that school districts may be formed out of parts of two or more townships or fractional townships, when the interests of the inhabitants will be promoted thereby; in which case the trustees of schools of the townships interested shall act in conjunction in the formation of such districts: *And provided further*, that districts may be altered at any time, by said trustees, to suit the wishes of a majority of the inhabitants in the districts interested.

By laws.

Proviso.

Examination of
eachers.

SEC. 46. Trustees of schools shall have power, and it shall be their duty, by themselves, or with such person or persons as they shall associate with them, upon application, to examine all persons proposing to teach a common school in their township, in relation to his or her moral character, and touching his or her qualifications properly to teach orthography, reading in English, penmanship, arithmetic, English grammar, modern geography, and the history of the United States, or any or either of them, as the applicant shall propose; and if they find such person of good moral character, they shall give him or her a certificate of good moral character, and shall certify the branches which they find him or her qualified properly to teach; which certificate shall be good and valid in said township for one year from the date thereof. Said certificate may be in the following form, viz:

Certificate.

We, trustees of schools in township . . . , range . . . , in . . . county, having examined A. B., do certify that he (or she) sustains a good moral character, and that he (or she) is well qualified to teach the following branches, viz: (Here insert the branches.)

Witness our hands, this . . . day of . . . 18 . . .

C. D., }
E. F., } Trustees of schools.
I. J., }

Purchase real
estate on judg-
ments.

SEC. 47. The trustees of schools are hereby vested with general power and authority to purchase real estate, if in their opinion the interests of the township fund will be promoted thereby, in satisfaction of any judgment or decree wherein the said trustees of schools or school commissioner are plaintiffs or complainants; and the title of such real estate so purchased shall vest in said trustees, for the use of the inhabitants of said township, for school purposes; and all purchases of land heretofore made by school commissioners, or trustees of school lands, or trustees of schools, for the use of any fund or township for the use of schools, are hereby declared valid.

Settle debts.

SEC. 48. The trustees of schools are hereby vested with general power and authority to make settlements with persons indebted to them in their official capacity; to receive deeds of real estate in compromise; and to cancel, in such manner as they may think pro-

per, notes, bonds, mortgages, judgments and decrees, existing, or that may hereafter exist, for the benefit of the township, when the interest of said township, or the fund concerned, shall in their opinion require it, and their action shall be valid. Said trustees of schools are hereby authorized to lease or sell, at public auction, any land that may come into their possession, in such manner and on such terms as they shall deem for the interest of the township: *Provided*, that, in all cases of sale of land, as provided in this section, the sale shall be made at the same place, and notice given of it in the same manner, as is provided in this act for the sale of the sixteenth section. Lease lands.

TOWNSHIP TREASURER—DUTIES.

SEC. 49. Every township treasurer shall provide himself with two well bound books, the one to be called a cash book, the other a loan book. He shall charge himself in the cash book with all moneys received, stating in the charge, when, from whom, and on what account received; and credit himself with all moneys paid or loaned, stating in the credit, when, to whom, and on what account paid or loaned. He shall enter in the loan book, the name of every person to whom money is loaned, the amount loaned, the date of the loan, the rate of interest, the time when payable, the names of the securities, or if real estate be taken, a description of the same. He shall also provide a book, to be called a journal, in which he shall record, fully and at length, the acts and proceedings of the trustees of schools, their orders, by-laws, and resolutions; which book shall be at all times subject to the inspection of said trustees, or of any committee appointed by the inhabitants of the township to examine the same. And he shall also provide a book, to be called a record, in which he shall enter a brief description of all notes or bonds belonging to the township, and upon the opposite page he shall note down when paid, or any remarks to show where, or in what condition it is, as in the following form, viz :

1				2
Makers' Names.	Date of Note.	When due.	Am't.	Remarks.
A.B., C.D., E.F.	Jan. 1, 1845.	Jan. 1, 1846.	\$ 90 00	Jan. 6, '47, handed to I. J., Esq., for collection, (or Jan. 6, '47, paid.)

Form.

SEC. 50. Township treasurers shall loan, upon the following conditions, all moneys which shall come to their hands by virtue of their office, except such as may be subject to distribution, according to section 41 hereof: The rate of interest shall be eight per centum per annum, payable half yearly in advance. The time for which loans shall be made, shall not be less than six months, nor more than five years. For all sums not exceeding one hundred dollars, loaned for not more than one year, two responsible securities shall be given: for all sums over one hundred dollars, and for all loans for more than one year, security shall be given by mortgage on real estate, unencumbered, in value double the amount loaned, with a condition that in case additional security shall at any time be required, the same shall be given to the satisfaction of the trustees Loan money.
Terms.
Mortgage.

of schools for the time being. Notes, bonds, mortgages, and other securities taken for money or other property, due or to become due to the trustees of schools for the township, shall be payable to the said trustees of schools by their corporate name; and in such name, suits, actions, and complaints, and every description of legal proceedings, may be had for the recovery of money, the breach of contracts, and for every legal liability which may at any time arise or exist, or upon which a right of action shall accrue to the use of the corporation: *Provided, however,* that notes, bonds, mortgages, and other securities, in which the name of the school commissioner, or of the trustees of schools are inserted, shall be valid to all intents and purposes; and suit shall be brought in the name of trustees of schools, as aforesaid.

Proviso.

Wife to join.

SEC. 51. The wife of the mortgagor, (if he have one,) shall join in the mortgage given to secure the payment of money loaned, as in section 50 hereof.

SEC. 52. Mortgages to secure the payment of money loaned under the provisions of this act, may be in the following form, viz:

Form.

I, A. B., of the county of _____, and State of _____, do hereby grant, convey, and transfer to the trustees of schools of township _____, range _____, in the county of _____, and State of Illinois, for the use of the inhabitants of said township, the following described real estate, to wit: (Here describe the premises.) Which real estate I declare to be in mortgage for the payment of \$ _____, loaned to me, and for the payment of all interest that may accrue thereon, to be computed at the rate of _____ per centum per annum, until paid. And I hereby covenant to pay the said sum of money in _____ years from the date hereof; and to pay interest on the same, at the rate aforesaid, half yearly, in advance. I further covenant that I have a good and valid title to said estate, and that the same is free from all incumbrance; that I will pay all taxes and assessments which may be levied on said estate; that I will give any additional security that may at any time be required by said trustees of schools; and if said estate be sold to pay said debt, or any part thereof, or for any failure or refusal to comply with or perform the conditions or covenants herein contained, I will deliver immediate possession of the premises.

And, in consideration of the premises, C., wife of said A. B., doth hereby release to the said trustees of schools, all her right and title of dower in the aforegranted premises, for the purpose aforesaid.

In testimony whereof, we have hereunto set our hands and seals,
this _____ day of _____, 18 ____.

A. B., [SEAL.]
C. B., [SEAL.]

Which mortgage shall be acknowledged and recorded; as is required by law for other conveyances of real estate; the mortgagor paying the expenses thereof.

Action on mortgage.

SEC. 53. Upon the breach of any condition or stipulation contained in said mortgage, an action may be maintained, and damages recovered, as upon other covenants; but mortgages made in any other form, to secure payment as aforesaid, shall be valid as if no form had been prescribed. In estimating the value of real estate mortgaged to secure the payment of money loaned under the provi-

sions of this law, the value of improvements liable to be destroyed shall not be included.

SEC. 54. In all cases where the trustees of schools shall require additional security for the payment of money loaned, and such security shall not be given, the township treasurer shall cause suit to be instituted for the recovery of the same, and all interest thereon to the date of the judgment: *Provided*, that proof be made of the said requisition. Add'l security.

SEC. 55. In the payment of debts by executors and administrators, those due the common school or township fund shall have a preference over all other debts, except funeral and other expenses attending the last sickness, not including the physician's bill. And it shall be the duty of the township treasurer to attend at the office of the probate justice upon the proper day, as other creditors, and have any debts, due as aforesaid, probated and classed, to be paid as aforesaid. School fund.

SEC. 56. If default be made in the payment of interest due upon money loaned by any school commissioner or township treasurer, or in the payment of the principal, interest at the rate of twelve per cent. per annum shall be charged upon the principal and interest from the day of the default, which shall be included in the assessment of damages, or in the judgment in suits or actions brought upon the obligation to enforce payment thereof; and interest, as aforesaid, may be recovered in actions brought to recover interest only. And the said township treasurers are hereby empowered to bring appropriate actions, in the name of the trustees of schools, for the recovery of the half yearly interest, when due and unpaid, without suing for the principal, in whatsoever form secured, and justices of the peace shall have jurisdiction in such cases of all sums under one hundred dollars. Penalty.

SEC. 57. All suits brought, or actions instituted under the provisions of this act, shall be brought or instituted in the name of "trustees of schools of township , range ," except as is provided for action *qui tam* in section three hereof, and as provided in section 62, in favor of school commissioner, and in section 96, in favor of district treasurer. Sue for interest

SEC. 58. The township treasurer shall demand, receive, and safely keep, according to law, all moneys, books, and papers of every description, belonging to his township. He shall keep the township fund loaned at interest. And if on the first Saturday of January and October there shall be any interest or other funds on hand which shall not be required for distribution, as provided in section 41 hereof, such amount, not required as aforesaid, shall forever after be considered as principal in the township fund, and loaned as such. To keep books.

SEC. 59. On the first Saturday of January, April, July, and October, of every year, the township treasurer shall lay before the trustees of schools, at their quarterly meetings, abstracts of the returns made by the school directors, as required in section 75 of this act, showing the number of all white children under the age of twenty years, in each school district or part of district in his township. He shall also lay before them, so far as received, the certificate of each district treasurer in his township, showing whether said district is indebted for books of district treasurer, for fuel and Report.

furniture, (as required in section 70 hereof,) for library, and whether schedule or schedules have been returned according to law, since his last certificate, and the amount the said district is indebted out of the common school or township fund, for the purposes, or any or either or all of them, recognized by this act. He shall also lay before them a statement, showing the amount of interest, rents, issues and profits on hand, and also the amount of interest or other funds then due on the township funds; and the amount on hand as aforesaid shall be subject to distribution by said trustees of schools, as provided in section 41 hereof; and the amount found to be due as aforesaid shall be subject to such order or orders of the said trustees for its collection, according to law, as in their judgment shall be most for the interest of the fund. He shall also lay before the said trustees of schools, all books, notes, bonds, mortgages, and all other evidences of indebtedness belonging to the township, for the examination of the said trustees, according to section 40 of this act.

Am't of interest.
Bonds, &c.
Census. SEC. 60. The township treasurer of each township in this State shall, on or before the first Monday in November next, and on or before the first Monday in November biennially thereafter, furnish the school commissioner with an abstract of the whole number of white children, under the age of twenty years, residing in his township; and if there be but one school district in his township, he shall act as district treasurer, and be liable as such.

Election notice. SEC. 61. So soon as practicable after a school district has been laid off by the trustees of schools, it shall be the duty of the township treasurer to give at least five days' notice, by posting up written notices in at least three public places in the said district, that on Saturday, the , at ten o'clock, A. M., there will be a meeting of the legal voters of the district, at (naming the place,) for the purpose of electing three school directors.

Penalty. SEC. 62. For any failure or refusal to perform all the duties required of township treasurer by law, he shall be liable to the trustees of schools upon his bond, to be recovered by action of debt by said trustees, in their corporate name, for the use of the proper township, before any court having jurisdiction of the amount of damages claimed; but if said treasurer, in any such failure or refusal, acted under and in conformity to a requisition or order of said trustees, or a majority of them, entered upon the journal and subscribed by said trustees, or a majority of them, then and in that case the trustees aforesaid, or those of them subscribing said requisition or order as aforesaid, and not the treasurer, shall be liable, jointly and severally, to the inhabitants of the township, to be recovered by action of assumpsit, in the official name of the school commissioner, for the use of the proper township.

Bring suit. SEC. 63. It shall be the duty of the township treasurer to institute a suit against the district treasurer upon his bond, for the use of the inhabitants of the proper district, for any failure or refusal to perform all the duties required of the district treasurer by law. It shall also be his duty to bring suit against the school directors, or either of them, under the provisions of section 76 hereof, for any violation of the provisions of sections 75 or 76 of this act.

Superintendent town'p schools. SEC. 64. The township treasurer shall be *ex officio* superintendent of common schools in his township, in which capacity he shall visit, as often as practicable, the different schools in the township,

confer freely with school directors and teachers, and communicate to them the plans and suggestions of the county and State superintendents, and use his influence to carry out such plans, and shall procure and furnish to the school commissioner all such information concerning his township as said commissioner is obliged, according to section 6 hereof, to communicate to the State superintendent.

SEC. 65. The township treasurer shall continue in office until ^{Tenure.} the expiration of the term of service of the trustees of schools by whom he was appointed, and until the appointment and qualification of a successor; but he shall be subject to removal, as provided in section 44 hereof.

SEC. 66. When a township treasurer shall resign, or be removed, and at the expiration of his term of office, he shall pay over ^{Shall pay, &c., to successor.} to his successor in office, all money on hand, and deliver over all books, notes, bonds, mortgages, and all other securities for money, and all papers and documents of every description in which the corporation may have any interest whatever, and in case of the death of the township treasurer, his securities and legal representatives shall be bound to comply with the requisitions of this section. And for any failure to comply with the requisitions of this section, he shall be liable to a penalty of not less than ten, nor more than ^{Penalty.} one hundred dollars, at the discretion of the court before which judgment may be obtained; and the obtaining or payment of said judgment shall in no wise discharge or diminish the obligation of his official bond.

SCHOOL DIRECTORS—THEIR ELECTION AND DUTIES.

SEC. 67. It shall be the duty of the legal voters within each school district, to meet at the school house or other convenient place in the district, on the first Saturday of October next, or as soon thereafter as the township may be laid off into districts, and on the first Saturday of October biennially thereafter, and elect three persons within the district, to be styled school directors, who shall continue in office for the term of two years, and until their successors are elected. But the first election may be had upon any Saturday, notice being given by the township treasurer according to section 61 hereof. The legal voters, when assembled, shall choose three of their number to act as judges, and one as clerk, at such election.

SEC. 68. In case of a tie at said election for school directors, it shall be determined by lot on the day of the election by the judges thereof.

SEC. 69. A majority of said directors shall constitute a quorum ^{To purchase li-} to do business; and the board, when convened, shall have power ^{braries.} to purchase libraries for the district, to be paid for out of the funds distributed to the district; to adopt the necessary measures to execute the will of the legal voters of the district, expressed as is provided in section 119 hereof; to employ teachers and fix upon ^{Employ teachers} their compensation; to visit schools from time to time, and to make all such rules and regulations as may be necessary and proper, and not contrary to the laws of this State: *Provided*, that when there is but one school district in a township, the trustees of schools shall act as school directors for such district, and the township treasurer shall act as district treasurer. Said school directors are hereby au-

Visit schools.

Schedules, &c.

Form of certificate.

Witness our hands, this day of , 18 .

E. F., }
G. H., } *School directors.*
I. J., }

To be returned
to treasurer.

SEC. 74. Schedules, made and certified as aforesaid, shall, on or before the last Saturday in December, March, June and Septem-

ber, be delivered by the school directors to the district treasurer of the district to which such schedules respectively relate.

SEC. 75. It shall be the duty of the school directors of each school district to furnish the township treasurer of their township, by the first Monday of October next, and by first Monday in October biennially thereafter, with the number of all white children under the age twenty years, residing in their respective districts: *Provided*, that in townships containing not more than one school district, it shall be the duty of the trustees of schools to make such enumeration. Return census.

SEC. 76. School directors, or either of them, or the trustees of schools, as specified in the proviso of the preceding section, failing or refusing to make returns of children in their district, according to the provisions of this act, or if either of them shall knowingly make a false return, the party so offending shall be liable to a penalty of not less than ten dollars nor more than one hundred dollars, to be recovered by action of assumpsit, before any justice of the peace of the county; which penalty, when collected, shall be added to the township fund. Penalty.

SEC. 77. Any one of said school directors shall have power, and upon request of at least ten legal voters of the district, it shall be his duty to post notices in at least three of the most public places in the district, ten days before the time appointed for meeting, calling a meeting of the legal voters of the district, to select a lot upon which to erect a school house, to adopt the plan of the house, to provide for its erection, for its furniture, and for the payment, or for any, or either, or all of said purposes, according to section 109 hereof. Meetings called.

SEC. 78. School directors shall have power, by consenting thereto, in writing, to authorize any person residing in any other school district, in the same or any other township, to send his or her children to a school taught in their district; but the person so sending to school in a district in which he does not reside, shall not be entitled, for the children so sent, to any portion of the common school or township fund due or belonging to either of said districts, or to interfere with, or in any manner participate in, the management or control of said school. But if the person so sending to any district other than the one in which he resides, shall first obtain the written consent of the school directors of the district in which he resides, and of the district to which he sends to school, by said directors, or a majority of them, in each district subscribed, and present said consent, so subscribed, to the teacher of his children or wards before his schedule is delivered to the school directors, to be appended by said teacher to the proper schedule; then, and in that case, the person so sending to another district shall be entitled to his proportion of the common school and township fund from his own district, the same as if he had sent to school in his own district. Scholars from other districts.

SEC. 79. The certificates required in the foregoing section may be in the following form, viz: (That A. B. may send into a district in which he does not reside.)

We, school directors of district number (one,) in township number (ten north,) of range number (one east of the third principal meridian,) in _____ county, do hereby give our consent that A. B. _____ Form of certificate.

may send the children under his care, viz: P. Q. and R. S., to school in our district.

Witness our hands, this day of 18 .

} *School directors.*

(That A. B. may send out of district in which he resides :)

We, school directors of district number (two,) in township number (six north,) of range number (one east of the third principal meridian,) in county, do hereby give our consent that A. B., of our district, may send the children under his care, viz: P. Q. and R. S., to school in district number (one,) in township number (ten north,) of range number (one east of the third principal meridian,) in county.

Witness our hands, this day of 18 .

} *School directors.*

Meeting of di-
rectors.

SEC. 80. School directors shall meet quarterly, at some convenient place in their district, on the second Saturday of January, April, July and October, of each year, and distribute any common school, or township, or other funds in the hands of the district treasurer, as follows, viz: First, any funds on hand, raised according to the vote of the inhabitants, legal voters of the district, as authorized in section 109 or section 111 hereof, according to said vote; second, to pay for the books of the district treasurer; third, to pay for any fuel or furniture, for the school house, purchased or supplied by said directors, as authorized and required in section 70 hereof; fourth, to pay for district library, purchased according to section 69 hereof; and fifth, to the different teachers entitled to it, according to the grand total number of days taught, as exhibited by their respective schedules, whether for a part or the whole of a term. But they shall distribute to no teacher, or his patrons, except upon his schedules, certified and returned to the district treasurer, according to law; nor to any teacher, or his patrons, more than is certified by the school directors, upon the schedule, to be due him, and to all other teachers entitled to it, or their patrons, in the same proportion, according to the grand total number of days, as aforesaid: *Provided*, that when the district treasurer exhibits to the school directors the receipt of any teacher for an order, as authorized in section 93 hereof, then, and in that case, said directors shall distribute, not to the different teachers, according to the fifth division of this section, but to the different patrons of the school entitled to the benefit of the fund, according to the total number of days each has sent to school, as exhibited by the schedule.

Distribution of
money.

SEC. 81. The school directors shall cause all orders for distribution and payment of money, to be entered upon the journal, and shall subscribe all such orders.

Vacancy.

SEC. 82. When a vacancy shall occur in the board of school directors, the remaining director shall order an election to fill such vacancy, giving at least five days' notice, by posting advertisements in at least three public places in the district, of the time and place

of holding such election. In case of a tie, it shall be decided as provided in section 68 hereof. They shall also give the notice required in section 110 hereof.

SEC. 83. School directors shall have power, and it shall be their ^{Remove treas'r.} duty, to remove the district treasurer, for any failure or refusal to discharge the duties of his office as treasurer; and such removal shall vacate his office, also, as school director.

SEC. 84. Upon their election, or as soon thereafter as practicable, school directors shall agree upon and appoint one of their number treasurer, to be called district treasurer.

DISTRICT TREASURER—HIS DUTIES.

SEC. 85. The district treasurer, before entering upon his duties as treasurer, shall execute a bond to the trustees of schools, in such penalty as said trustees shall require, with good and sufficient security, conditioned for the faithful performance of his duties as district treasurer, and for the faithful application, according to law, of all funds that may come to his hands by virtue of his office as treasurer as aforesaid; and that he will deliver over to his successor all books, moneys, and papers, of every description, belonging to his district.

SEC. 86. The bond required in the foregoing section, shall be in the following form, viz:

State of Illinois, }
county, } ss. Know all men by these presents, that ^{Bond.}
 we, A. B., C. D., and E. F., are held and firmly bound, jointly and severally, unto the trustees of schools of township in said county, in the penal sum of dollars, for the payment of which we bind ourselves, our heirs, executors and administrators, firmly by these presents. In witness whereof, we have hereunto set our hands and seals, this day of A. D. 18 .

The condition of the above obligation is such, that, if the above bounden A. B., district treasurer of district , township aforesaid, shall faithfully discharge all the duties of said office according to law, faithfully apply all funds that may come to his hands by virtue of his said office as treasurer, and deliver over to his successor in office, all moneys, books, papers, securities and property, belonging to said district, then this obligation to be void; otherwise to remain in full force and virtue.

A. B., [SEAL.]
 C. D., [SEAL.]
 E. F., [SEAL.]

Approved and accepted by G. H., }
 I. J., } Trustees of schools.
 K. L., }

SEC. 87. The district treasurer shall make and certify, to the ^{Duty.} clerk of the county commissioners' court of the county, before the first day of July in each year, a correct abstract of the votes, and the amount of money voted to be raised at any meeting of the inhabitants, under the provisions of sections 110 and 111 hereof. And the said clerk shall compute each taxable inhabitant's tax in said district, taking as a basis the total amount of taxable property returned

by the county assessor for that year, lying in the county and belonging to inhabitants of the district, and the total amount of real estate belonging to non-residents which lies within the district; and, also, each and every tract of non-resident's land as assessed by the assessor, the larger part of which lies within the said district. Said

Clerk's duty.

clerk shall cause each man's tax, so computed, to be set upon the tax book, to be delivered to the county collector for that year, in a separate column, against each tax payer's name or parcel of taxable property, as it appears on said collector's book; to be collected in

Collector's duty.

the same manner and at the same time as State and county taxes. When collected, the district treasurer shall demand and receive the amount from the said collector, and enter the same in a separate account in his cash book.

SEC. 88. The district treasurer shall receipt to the collector for the amount received, as provided in the foregoing section; which receipt shall be evidence, as well in favor of the collector as against the district treasurer.

Records.

SEC. 89. The district treasurer shall provide himself with a book to be called the journal, and a book to be called the cash book, to be paid for according to section 80 hereof. In the journal, he shall record the actings and doings of the school directors; and when presented for that purpose, he shall record the certified proceedings of the legal voters of the district, as contemplated in section 109 hereof; and he shall enter all orders for distributing money or otherwise, made by the school directors. In the cash book he shall charge himself with all funds received, when, from whom, on what account, and the amount; and credit himself with all money paid out, when, to whom, on what account, and the amount. Said books shall be, at all times, subject to inspection by any citizen of the district, or by the trustees of schools, or by the township treasurer.

Schedules.

SEC. 90. The district treasurer shall file and carefully preserve all schedules delivered to him by the school directors. After the last Saturday in December, March, June and September, and before the first Saturday of January, April, July and October of each year, he shall make and deliver to the township treasurer, a certificate, subscribed by him as district treasurer, stating whether the district is indebted out of the common school or township fund, for district treasurer's books, for fuel or furniture for the school house, (purchased or supplied by the school directors as authorized and required in section 70 hereof,) for district library, (purchased according to section 69 hereof,) and upon schedule or schedules, certified and returned to him according to law, since his last certificate, and the total amount the district is so indebted for any, or either, or all of the above objects.

SEC. 91. The certificate mentioned in the foregoing section, may be in the following form, (omitting any of the items upon which the district is not indebted,) viz;

To the township treasurer of township _____, in _____ county:

District number (one) in township _____, in _____ county, is indebted out of the common school and township fund, as follows, to wit:

For books for district treasurer,	\$4 50	Form of certificate.
For fuel for the school, supplied by school directors,	10 00	
For furniture for school house, by school directors,	00 00	
For district library purchased	20 00	
Upon schedule, certified and returned according to law, since last certificate,	35 00	
Total indebtedness,	<u>\$69 50</u>	

I certify that the above is a correct statement of the indebtedness of district aforesaid, out of the common school and township fund.

Witness my hand, this day of 18 .

A. B., *district treasurer.*

SEC. 92. After the first, and before the second Saturday of January, April, July and October, the district treasurer shall apply to the township treasurer, and receive and receipt for the distributive share of common school and township fund apportioned to his district. On the second Saturday of January, April, July and October, he shall lay before the school directors a statement, showing the amount of funds on hand for distribution, designating from what source or sources received, and the amount from each source, and to what object or objects the same, or any portion of it, if any, is to be applied, according to the vote of the inhabitants of the district, as authorized in section 109 or section 111 hereof. He shall, also, exhibit to them all receipts of teachers for orders granted, as authorized in section 93 hereof.

SEC. 93. It shall be the duty of the district treasurer to pay Pay funds. over, on demand, all funds in his hands, according to the order of the school directors entered upon the journal and subscribed by them, or a majority of them. If any teacher shall demand it, the school directors consenting thereto, said treasurer shall give him, taking his receipt therefor, an order, as follows, viz:

To the patrons of the school taught by A. B:

Order.

You are hereby required to pay to the said A. B. the full amount you are indebted upon his schedule, and your proportion of the funds distributed upon said schedule, will, when so distributed, be paid to you on demand.

C. D., *district treasurer.*

January , 18 .

SEC. 94. Upon payment of any money by the district treasurer, Receipt. he shall take a receipt therefor, which he shall file and carefully preserve with the papers of his office.

SEC. 95. The district treasurer shall be liable upon his bond, (suit to be instituted as in section 63 hereof,) and shall be subject to removal, as provided in section 83 hereof, at any time, for any failure or refusal to discharge faithfully the duties of his office as treasurer, as aforesaid; and such removal shall extend to him, also, as school director, and create a vacancy, to be filled as provided in section 82 hereof.

SEC. 96. If the township treasurer of any township shall fail or Suits. refuse to pay to any district treasurer the proportion of the common

school or township fund to which his district may be entitled, and the trustees of schools, upon notice in writing from the district treasurer, that the said township treasurer does so fail or refuse, fail to cause payment to be made, or to remove said township treasurer, then, and in that case, the district treasurer shall cause suit to be commenced against said trustees, by their corporate name, before any court having jurisdiction thereof; and if said trustees of schools shall refuse to pay whatever judgment may be rendered against them, upon the trial of such suit, within one month from the rendition of judgment, and no appeal be taken, execution may be sued out thereon and levied upon the individual property of said trustees of schools.

Deliver books,
funds, &c.

SEC. 97. When a district treasurer shall resign, or be removed from office, he shall pay over to his successor in office, all funds, and deliver all books, notes, bonds, mortgages, and all other securities for money, and all other papers and documents, of every description, which belong to the custody of the district treasurer; and in case of his death, his securities and legal representatives shall be bound to comply with the requisitions of this section; and for any failure to comply with the requisitions of this section, he shall be liable to a penalty of not less than ten nor more than one hundred dollars, at the discretion of the court before which judgment may be obtained; and the obtaining or payment of said judgment shall in nowise discharge or diminish the obligation of his official bond.

TEACHERS—THEIR DUTIES.

SEC. 98. No teacher shall be entitled to any portion of the common school or township fund, who shall not, before his employment, exhibit to the school directors of the district in which he proposes to teach a school, a certificate of qualification, obtained under the provisions of section 14 or section 46 hereof, which certificate shall be good and valid for one year from the date thereof.

Schedules.

SEC. 99. Teachers shall make schedules of the names of all scholars, under twenty-one years of age, attending their schools, in the form prescribed by this act; and when scholars reside in two or more districts, townships or counties, separate schedules shall be kept for each district, township or county; and the absence or presence of every scholar shall be set down under the proper date, and opposite the name, on every day that the school is open; the absence of a scholar shall be signified by a blank, the presence by a mark. The schedule, to be made and returned by the teacher, shall be, as near as circumstances will permit, in the following form, viz:

Form.

Schedule of a Common School, kept by A. B., at _____, in district number _____, in township sixteen north, range five west of the third principal meridian, in the county of _____, in the State of Illinois.

Names of scholars attending my school, and residing in district number , in town- ship north, range west, in county.	
John Smith, Isaac Meslier, Sarah Danforth, Mary Newman,	1847. Monday, January

Schedule certi-
fied.

SEC. 100. In closing the schedule, the teacher shall make a list of the names of the scholars attending school, then add together the number of days which each scholar has attended, setting it down in the right hand column, (as in form,) which column he shall then add up, and set down the grand total number of days at the bottom of said column, (as in the form,) and when the schedule is thus closed, he shall certify to the correctness of the same. He shall also certify that it was a school for the purpose of teaching various branches of an English education, and that the common medium of communication in said school was the English language; and he shall make affidavit of its correctness before some justice of the peace of the county, who shall charge no fee for administering the oath: *Provided*, that nothing herein contained shall prevent the teaching a foreign language in an English school, as aforesaid.

Proviso.

SEC. 101. The certificate and affidavit shall be in the following form, viz:

Certificate.

I certify that the foregoing schedule of scholars attending my school, as therein named, and residing as specified in said schedule, to the best of my knowledge and belief, is correct; that it was a school for the purpose of teaching various branches of an English education, and that the common medium of communication in said school was the English language.

A. B., *Teacher*.

Subscribed and sworn to before me, a justice of the peace in
and for the county of _____, this _____ day of _____ 18 ____.

C. D., *J. P.*

Consent of di-
rectors.

SEC. 102. It shall be the duty of the teacher to append to the proper schedule the written consent of the school directors, authorized in section 79 hereof, should such consent, subscribed as by this law (in section 78) required, to be presented for that purpose, before said schedule has passed from his hands.

SEC. 103. When the teacher shall have completed his schedule, as above required, he shall deliver it to some one of the school directors of the proper district.

SEC. 104. All schedules, whether for a whole or any portion of a term, shall be closed and presented to the school directors on or before the Thursday next preceding the last Saturday of December, March, June, and September.

Directors and
teachers.

SEC. 105. Upon receipt of the amount distributed by the school directors upon their schedules, teachers shall credit each scholar with the just proportion of the amount, according to the number of days said scholar attended school, and the balance shall be the amount due. But the teacher, if he choose, may demand and receive, according to section 93 hereof, from the district treasurer, an order on the patrons of the school, for the whole amount due from each of said patrons; and in that case said teacher, so receiving said order, shall be entitled to no portion of the common school or township fund.

COMMON SCHOOL FUND—DISTRIBUTION TO COUNTIES.

SEC. 106. The common school fund of the State shall consist of the amount due from the State, according to a statement and settle-

ment of the account between the State and that fund, under the provisions of an act, entitled "An act to provide for the distribution and application of the interest on the school, college and seminary fund," approved on the seventh day of February, one thousand eight hundred and thirty-five, and of all funds which have been or may be received by the State from the United States, for the use or support of common schools; and, also, of the money added to the common school fund, which was received from the United States, under an act of Congress, providing for a distribution of the surplus revenue of the United States, and which was vested in bank stock, by authority of the State.

SEC. 107. The State shall pay an interest of six per centum ^{Interest.} per annum upon the amount of the aforesaid common school fund, which shall be paid annually, and applied to the support of common schools, as herein provided. The State shall, also, pay, as aforesaid, and at the same time, an interest of six per centum per annum upon the amount due the college and seminary fund; which interest shall be loaned to the common school fund, and known in this law and applied in all cases as interest on the common school fund as aforesaid.

SEC. 108. On the first Monday in January, in each and every ^{Auditor.} year, next after taking the census of the State, the auditor of public accounts shall, under the supervision of the commissioners of the school fund of the State, ascertain the number of white children in each county in the State, under twenty years of age; and shall thereupon make a dividend to each county of the interest due upon the school, college and seminary fund, in proportion to the number of white children in each county, under the age aforesaid, and issue his warrant to the school commissioner of each county upon the collector thereof. And upon presentation of said warrant by the school commissioner to the collector of his county, said collector shall pay over to the school commissioner the amount of said warrant out of the first specie funds which may be collected by him, and not otherwise appropriated by law, taking said commissioner's receipt therefor; and on settlement with the auditor, the said collector shall be credited with the amount specified in said receipt, in the same manner as if it had been paid into the treasury. Dividends shall be made, as aforesaid, according to the proportions ascertained to be due to each county, annually, thereafter, until another census shall have been taken, and then dividends shall be made and continued, as aforesaid, according to the last census: ^{Proviso.} *Provided*, that if said collector shall file an affidavit with the school commissioner, that he is not, and has not been able to collect enough in gold and silver, over and above one and one-half mills, in act 39, in the appendix to the revised laws specified, to pay off said warrant, nor more upon it than he has paid, then, and in that case, the school commissioner shall receive auditor's warrants for the balance not paid in specie; otherwise said collector shall be liable to pay the whole amount in specie.

MEETING OF THE INHABITANTS OF DISTRICT—SCHOOL LOTS—
HOUSES—TAXES.

SEC. 109. It shall be lawful for the legal voters of any school district to assemble, according to notice, as provided in section 77

hereof, at the time and place appointed in said notice, for the purposes hereinafter in this section specified. They shall appoint one of their number chairman, and another secretary. They may then determine, by vote, the place upon which to erect a school house. If no place receive a majority of all the votes given, the two places receiving the highest number of votes shall then be voted for; and the place receiving a majority of the votes given shall be the place whereon to erect said school house. Said meeting shall then determine, by vote, the description or kind of house they will have, the amount and kind of furniture with which said house shall be supplied, and the manner in which the cost of said lot, of the building the said house, and of furniture aforesaid, or the cost of any, or either, or all of them, shall be defrayed, whether by individual subscription, or by an amount raised by taxation, as authorized in section 110 hereof, or either of them. The secretary shall keep a true record of said meeting, and shall present it, certified by himself and the chairman, to the district treasurer.

TAXES.

Voting.

SEC. 110. On the first Saturday of May next, and on the first Saturday of May, annually, thereafter, the inhabitants, legal voters, of any school district in this State, may meet together at some convenient place in the district, for the purpose of voting for or against levying a tax for the support of common schools, for building and repairing school houses, or for other school purposes, or to pay existing debts contracted for school purposes before that time, in the district. The school directors shall give ten days' notice of such meeting, by posting up notices in at least three public places in the district, setting forth therein the time, place, and object, of such meeting: *Provided*, that, if five of said inhabitants request it, school directors shall call such meeting, to be holden upon any Saturday, notice being given as aforesaid.

Taxes; how levied.

SEC. 111. The inhabitants, legal voters, when convened as above provided, shall organize, by appointing one of their number chairman, and another secretary. They shall then determine by vote, in such manner as they may choose, first, whether they will tax themselves for the purposes, or either or any of them, in section 110 specified. If two-thirds of the voters present shall be for a tax, they shall determine upon the rate to be levied for the current year, not exceeding fifteen cents on the one hundred dollars, and to what purpose or purposes authorized in sections 109 and 110 hereof, the amount raised by tax shall be applied. The secretary shall keep a true record of the proceedings of such meeting, which shall be certified and signed by the chairman and secretary, and presented by said secretary, together with the names of all the resident tax-payers of the district, to the district treasurer: *Provided*, that for purchase of lot, or building and furnishing school house, the rate of taxation may be any amount, determined by vote as aforesaid, not exceeding fifty cents on the one hundred dollars.

Proviso.

COMPENSATION OF OFFICERS.

SEC. 112. School commissioners shall be allowed, and paid by the trustees of schools, out of the township funds of the township

for which the services were rendered, three per cent. upon the amount of sales, for their services in receiving and recording petitions for the sale of school lands, advertising, making reports, taking security for the purchase money; and two per cent. he shall retain of the amount of all sums distributed or paid to township treasurers for the support of schools. Township treasurers shall be allowed two per cent. upon all funds paid out, and two per cent. upon all funds loaned; but the two per cent. for funds loaned shall not be allowed, unless there has been an actual payment and re-loaning to another and different person: *Provided, however,* that trustees of schools shall have the right, and it is made their duty, to reduce the compensation of said treasurer, if, in their opinion, the compensation herein allowed is more than is reasonable. Trustees of schools shall be exempt from military duty, from road labor, and from serving as jurors. School directors shall be exempt from military duty, from road labor, and from serving as jurors. District treasurers shall be exempt from military duty, from road labor and road tax, and from serving as jurors.

LIABILITIES OF OFFICERS.

SEC. 113. If any school commissioner, trustee of schools, township or district treasurer, or any other person entrusted with the care, control, management, or disposition of any common school, college, seminary, or township fund, for the use of any county, township, district or school, shall convert any such funds, or any portion thereof, to his own use, he shall be liable to indictment, and, upon conviction, shall be fined in not less than double the amount of money converted, and imprisoned in the county jail, not less than one, nor more than twelve months, at the discretion of the court. Convert'g funds.

SEC. 114. Trustees of schools shall be liable, jointly and severally, for the sufficiency of securities taken from township and district treasurers; and in case of judgment against said treasurers and their securities, for, or on account of, any default of such treasurers, on which the money shall not be made for want of sufficient property whereon to levy execution, actions on the case may be maintained against said trustees, jointly or severally, and the amount not collected on said judgment shall be recovered with costs: *Provided,* that if said trustees can show satisfactorily that the security taken from treasurers as aforesaid, was, at the time of said taking, good and sufficient, they shall not be liable as aforesaid. Trustees.

SEC. 115. The real estate of school commissioners, of township and district treasurers, and of the securities of each of them, shall be bound for the satisfaction and payment of all claims and demands against such commissioner and treasurers, as such, from the date of issuing process against them, in actions or suits brought to recover such claims or demands, until satisfaction thereof be obtained; and no sale or alienation of real estate by any commissioner, treasurer, or security aforesaid, shall defeat the lien created by this section; but all and singular, such real estate held, owned or claimed as aforesaid, shall be liable to be sold in satisfaction of any judgment which may be obtained in such actions or suits. Real estate.

DEPRECIATED FUNDS.

SEC. 116. All township treasurers having on hand any State Bank, or Bank of Illinois, paper, or other depreciated funds, are hereby authorized, under the direction of the trustees of schools, to sell the same for their cash value, and adjust their accounts accordingly. And all such sales heretofore made by school commissioners or trustees, are hereby declared legal and valid.

COSTS.

SEC. 117. No justice of the peace, probate justice, constable, clerk of a court, or sheriff, shall charge any costs in any suit where any agent of any school fund, suing for the recovery of the same, or any interest due thereon, is plaintiff, and shall be, from any cause, unsuccessful in such suit.

Officers.

SEC. 118. School commissioners appointed heretofore, shall continue in office until superseded, according to the provisions of this act, and their duties, responsibilities, and powers, shall be governed by the provisions herein named. Trustees of school lands heretofore appointed, and trustees of schools heretofore elected, shall, also, continue to discharge the duties of their office until trustees of schools are elected under the provisions of this act. Townships, heretofore incorporated, shall, without any further action or proceeding, be considered as incorporated under the provisions of this act; and the trustees and other officers shall continue to discharge their duties till suspended by appointment or election under this law; but the rights, powers, and duties, of all such officers, shall be regulated by the provisions hereof. All school districts, heretofore laid off, may remain as if they had been laid off under the provisions of this act; and all school directors, heretofore appointed, shall continue in office, as if they had been appointed by the provisions of this act, until superseded by election, as provided in this act; they shall be governed by the provisions hereof. Leases of school lands shall remain valid, and be executed according to the laws under which they were made. Common school lands, valued and offered for sale and remaining unsold, shall be sold upon terms prescribed by this act. All contracts made under the laws hereby repealed shall remain valid; and all rights, remedies, defences, and causes of action, existing, or which may hereafter exist or arise, under, or by virtue of, said repealed laws, shall continue and remain valid, and shall be enforced, notwithstanding the repeal of said laws, unless cancelled according to the provisions of this act.

ACTS REPEALED.

SEC. 119. An act entitled "An act making provisions for organizing and maintaining common schools," in force July first, one thousand eight hundred and forty-one, and an act entitled "An act to establish and maintain common schools," approved February 26th, one thousand eight hundred and forty-five, and all other acts and parts of acts coming within the purview of this act, be, and the same are hereby, repealed.

SEC. 120. This act to be in force from and after the first day of May, 1847.

SEC. 121. That the public printer is hereby required to print, ^{To be printed,} in pamphlet form, ten thousand copies of this act, under the direc- ^{and distributed.} tion of the secretary of State; to be distributed by said secretary, according to population, among the several counties of this State, and deposited with the clerks of the county commissioners court, to be distributed by him with the several treasurers of townships, for the use of the different officers under this law, and also a copy to each school commissioner.

APPROVED, March 1, 1847.

AN ACT to amend the twelfth section of the act, entitled "An act to establish and maintain common schools," approved February 26, A. D. 1845.

In force,
Feb'y 11, 1847.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That upon examination of teachers, under the provisions of the 12th section of chapter ninety-eight, entitled "schools," the persons making such examination may give the certificate in all cases where they shall be satisfied that the person examined is qualified to teach one or more of the branches specified in said twelfth section, specifying in the certificate what branches he or she is capable of teaching; which certificate shall have the same effect as is provided in said twelfth section of said act. ^{Qualifications of teachers.}

APPROVED, February 11, 1847.

AN ACT to legalize the acts of certain school directors in Logan county, and for other purposes.

In force,
Feb'y. 28, 1847.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the official acts of Richard Latham, J. F. Miles, and A. E. Constant, school directors in township eighteen north, range three west, of third principal meridian, in Logan county, are hereby legalized, and that the treasurer of said township is hereby required to pay over any school money due E. Dutch, teacher, on a schedule, certified by the above directors; said school having been taught between the first days of April and October, one thousand eight hundred and forty-six.

APPROVED, February 28, 1847.

AN ACT to authorize the levying and collecting of taxes for school purposes in the county of Iroquois, and for the sale of section 16, in township 25 north, range 11 west.

In force,
Feb'y 28, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever a majority of legal voters of either of the school districts in the county of Iroquois shall deem it necessary to build a school house in said district, or ^{Building, etc.}

for any other school purposes, the school directors or trustees in either of the school districts in said county, may, and they are hereby, authorized to call a meeting, by posting up five notices at five of the most public places in said district, of the time when, and the place where, such meeting shall be held, at least fifteen days before the time of meeting, and two of the school trustees or directors shall preside at said meeting, and one of said directors or trustees shall act as clerk.

Amount of tax. SEC. 2. And if a majority of the legal voters in said school district shall vote to levy a tax for the purpose of building school houses, or for any other school purposes, and a vote shall be taken as to the sum to be levied, not to exceed fifty cents on each one hundred dollars' valuation of both real and personal property.

County comm'r's clerk—his duty. SEC. 3. And after the assessment is made, in accordance with the revenue law of this State, and returns thereof made to the county commissioners' clerk of said county, it shall be the duty of said clerk to provide a column and set apart from all other taxes in the collector's books the amount of school tax due from each person in said school district, and inform the treasurer of each of said districts the amount due said district.

Collector's duty. SEC. 4. And it shall be the duty of the collector of said county to collect and pay to the treasurer, in gold or silver, all moneys due such school district by the first of March in each year, that he may have collected at that time; and at the time the said collector is required to settle all State and county taxes, in accordance with the present revenue law of this State, he shall be required to settle with each school treasurer that is entitled to any moneys due said district, according to the above act, and is entitled to the same fees as in other cases of collecting revenue, and take each treasurer's receipt for the same, so paid in by said collector, to said treasurer.

Treasurer. SEC. 5. And it shall be the duty of said treasurer to keep a record of all moneys so paid in, and account to the directors or trustees of said school district, and such money, so collected, shall be paid out according to the wishes of said legal voters, or a majority of them, for school purposes.

What lands may be sold. SEC. 6. Section number sixteen, in township number twenty-five north, of range number eleven west, in Iroquois county, may be sold upon the petition of the inhabitants of said township, under the laws providing for and regulating the sale of section number sixteen, notwithstanding there may not be fifty inhabitants in said township.

APPROVED, February 28, 1847.

In force,
Jan'y 27, 1847.

AN ACT to erect the city of Quincy into a common school district.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the portion of township two (2) south, nine (9) west, and of township one (1) south, nine west of the fourth principal meridian, lying within the corporate limits of the city of Quincy, with such parts of said townships as*

may hereafter be incorporated with, and come under the jurisdiction of, said city, be, and the same are hereby, erected into a common school district, to be known as and called the "Quincy school district."

SEC. 2. The care and superintendence of the common schools Superintendent. within the city of Quincy, together with the funds and estate, both real and personal, belonging to, and which may be conveyed to said Quincy school district, shall devolve upon the city council of the city of Quincy; and they shall have power to appoint, at their first meeting after their annual election in each year, a general superintendent of public schools for said city of Quincy, whose term of office shall be for one year, and until his successor be duly elected and qualified; and his duties and the amount of his salary shall be defined by the city council of the city of Quincy: *Provided, how-* Proviso. *ever,* that said salary shall, at no time, be paid out of the school fund belonging to said Quincy school district; and said city council shall have power to make all laws and ordinances necessary and proper for the management of said common schools, not inconsistent with the constitution of this State.

SEC. 3. The township funds, and estate real and personal, be- School funds. longing to said townships one (1) south, nine (9) west, and two (2) south, nine (9) west, shall be divided between the city of Quincy and the portions of said townships lying without the city of Quincy, as follows: The trustees of schools of township two (2) south and nine (9) west, shall, within three months from and after the passage of this act, appoint three respectable householders, one from the city of Quincy, one from township one (1) south, nine (9) west, residing out of said city, and one from township two (2) south, nine (9) west, residing out of said city; who, or a majority of whom, after being duly sworn well and truly to perform their duty, shall ascertain, as nearly as may be, the number of white persons under the age of twenty years residing within said townships, respectively, both within and without the limits of said city of Quincy; and they shall divide and apportion the aforesaid township funds and estate according to the number of children under the age aforesaid, residing in said townships, respectively, within and without the city of Quincy, and shall pay over Paid over. and deliver to said city the distributive share of the respective township funds and estate aforesaid, to which the said Quincy school district may be entitled, according to the number of white persons under the age aforesaid, residing in said townships, respectively, and within the limits of said city of Quincy; and the said commissioners shall have power to make their deed of partition, Real estate distributed. and convey to the city of Quincy its distributive share of the real estate belonging to the school fund of the respective townships aforesaid; and in case the commissioners, appointed as aforesaid, Commissioners. shall refuse or neglect to perform the duties aforesaid, within one month from the time of their appointment, the said trustees of township two (2) south, nine (9) west, shall have power to appoint others in their stead, either in or out of said city of Quincy, who shall, in like manner, be sworn, and perform the duties assigned to the first mentioned commissioners; and said trustees shall have power to make appointments and fill vacancies in the same, until the objects of this act are carried into effect: *Provided,* the same

shall be done within twelve months from and after the passage of this act.

Money paid to
Quincy.

SEC. 4. The trustees of schools of township one (1) south, nine (9) west, and township two (2) south, nine (9) west, respectively, shall, upon such partition being made, pay over and deliver, to the city of Quincy, the funds and deeds to which said Quincy school district may be entitled, according to the division and distribution aforesaid, and shall take from the clerk of the city of Quincy a receipt for the same.

Report.

SEC. 5. It shall be the duty of the city council of the city of Quincy to cause to be furnished, to the school commissioner of Adams county, an abstract of the whole number of white children, under the age of twenty years, residing in said Quincy district, within ten days after such number shall be ascertained; and the said school commissioner shall annually pay to the clerk of the city of Quincy the proportion of the school, college and seminary fund to which the said Quincy district may be entitled, according to the number of children under the age aforesaid, residing in said district, taking his receipt for the same: *Provided*, that no abstract of the number of children as aforesaid, residing in said Quincy school district, shall be returned to said school commissioner oftener than once in two years, as is required in other school districts.

SEC. 6. This act shall have effect whenever a majority of all the legal voters of said townships one (1) south, nine (9) west, and two (2) south, nine (9) west, shall vote in favor of its provisions.

APPROVED, February 27, 1847.

In force,
Febry. 26, 1847.

AN ACT to authorize the Shelbyville school district to elect school directors.

Election.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Shelbyville school district, in township eleven north, in range four east, is hereby authorized to hold an election for school directors of said district, on the fifteenth day of March, eighteen hundred and forty-seven, by giving five days' notice in writing, posted up in three of the most public places in said district. This act to take effect from and after its passage.

APPROVED, February 26, 1847.

In force,
Febry 25, 1847.

AN ACT for the benefit of common schools in district number 4, township 26, range 10 east, in Will county.

Exchange lots.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the school directors of district number four, township thirty-six north, range ten, east of the third principal meridian, in the county of Will, and State of Il-

linois, are hereby authorized and empowered to relinquish to the board of trustees of the Illinois and Michigan canal, one or more of the lots donated to said school district by virtue of an act of the Legislature, approved February 28th, 1839.

SEC. 2. The board of trustees of the Illinois and Michigan canal are hereby authorized to set apart, and donate, such other equal number of lots as may be agreed upon, for the use and benefit of common schools in the school district named in the first section of this act.

SEC. 3. The legal voters of said school district may hereafter ^{Tax.} levy an annual tax, not exceeding fifty cents on each one hundred dollars' worth of taxable property in said district, for the support of schools, or for building and repairing school houses, or for other school purposes, or to pay existing debts contracted for school purposes; which tax, when levied, shall be collected and paid over, as is prescribed in chapter ninety-eight of the Revised Statutes.

APPROVED, February 25, 1847.

AN ACT in relation to that part of township 39 north, of range 14 east, of the third principal meridian, in relation to schools. In force, Feb'y 23, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all that part of township thirty-nine (39) north, of range fourteen (14) east, of the third principal meridian, in Cook county, which lies south of the corporate limits of the city of Chicago, shall constitute a school district, by the name of "south Chicago school district," and the legal voters of said district shall have authority to levy and collect a school tax, annually, upon ^{Tax.} all the estate, both real and personal, in said district, for school purposes, not exceeding one quarter of one per centum upon the assessed value thereof, as the same shall be valued by the assessor of Cook county.

SEC. 2. The inhabitants of said district shall meet together at such time and place as shall be appointed by the clerk of the county commissioners' court of Cook county, in each year, and appoint three inspectors of elections, who shall be qualified in the ^{Inspectors.} same manner as judges of precinct elections, and shall be governed, as nearly as may be, by the laws relating to judges of precinct elections, and make returns of the election to the clerk of said court. At such elections there shall be elected, by ballot, three ^{Directors.} directors of said district, who shall be freeholders therein at the time of their election, and who shall have the same power, and perform the like duties, within their district, that are possessed and performed by the trustees and inspectors of common schools in the city of Chicago. The said directors shall hold their offices for one year, and until their successors are elected and qualified. At such election the inhabitants of said district shall determine, by vote, what tax, not exceeding the said one-fourth of one per centum, shall be levied upon the real and personal estate within said district. The inspectors of said election shall make return of said election, and

the votes taken thereat, to said clerk, within ten days after such election. Said returns shall be opened by said clerk in the presence of two justices of the peace, and he shall grant a certificate of election to the three persons who shall appear, by said returns, to have received the greatest number of votes thereat. In case of contested elections, the contest shall be determined in the manner provided by law for contesting the election of justices of the peace.

Tax. SEC. 3. Upon said return being made and filed in the office of said clerk, he shall add to the tax list levied by the county commissioners' court upon the estate in said district, in a separate column, the tax voted by said district, and the same shall be collected by the sheriff or county collector as other taxes, in money, and paid unto the agent of the school fund appointed by the common council of the city of Chicago, who shall keep a separate account of the same, and disburse it only upon the written order of said directors.

Penalty for over-drawing money. SEC. 4. If any such director or directors shall draw an order upon said agent for any part of said money thus collected as a district tax, except so much thereof as shall be allowed by them to said clerk for his services in the premises, or shall appropriate the same to any purpose other than the building of a school house or school houses in said district, or the support of schools therein, he or they shall forfeit and pay to any person who may sue for the same three times the amount of such order or appropriation, to be recovered by action of debt before any justice of the peace or court, and, besides, shall be liable to indictment and punishment by fine, not exceeding five hundred dollars and imprisonment in the county jail not exceeding six months, at the discretion of the court.

May draw for school purposes. SEC. 5. The said directors shall be authorized to draw from the agent of the school fund of the city of Chicago, monthly, such an amount as said district shall be entitled to, in proportion to its number of inhabitants, between the ages of five and twenty-one years, as compared with the whole number of such inhabitants in said city, out of the interest of the school fund in said township: *Provided*, that a common school be established and maintained in said district, and said money be drawn and appropriated solely for the payment of teachers' wages.

APPROVED, February 23, 1847.

In force, Febry. 22, 1847. AN ACT to provide for an equitable distribution of the school funds in Effingham and Clay counties.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the school commissioners of Effingham and Clay counties be, and they are hereby, required to divide and apportion the school, college, and seminary fund of said county, [counties] for the year eighteen hundred and forty-six, among the several townships of said counties, upon the enumeration made on or before the first Monday of March, eighteen hundred and forty-seven. This act to take effect from and after its passage.

APPROVED, February 22, 1847.

AN ACT to authorize the school commissioner of Jo Daviess county to distribute school funds therein mentioned. In force,
Feb'y 20, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the school commissioner of Jo Daviess county is hereby authorized and required to apportion the school, college, and seminary funds, and the interest on hand at the time of the next distribution of the county school fund, to all such school districts or townships as shall, on or before the first day of May, eighteen hundred and forty-seven, make a proper and legal return of the number of white children under twenty years of age, in their respective school districts, or townships, any thing in the act for establishing and maintaining common schools, approved February twenty-sixth, eighteen hundred and forty-five, to the contrary notwithstanding.

SEC. 2. The said school commissioner is hereby authorized and Distribution. required to apportion out of the school, college, and seminary fund, for the year eighteen hundred and forty-six, and out of the interest on hand of the county school fund, at the date of the next distribution provided by law, to such school districts or townships in his county as may have made returns in the year eighteen hundred and forty-five, previously to the first day of May of said year, of the number of white children, under twenty years of age, in their respective school districts or townships, and to which said school districts or townships no apportionment was made of the interest on the school, college, and seminary fund, or on the county school fund, for the year eighteen hundred and forty-five.

APPROVED, February 20, 1847.

AN ACT forming the village of Prairie du Pont into a school district.

In force,
Feb'y. 20, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the inhabitants of the village of Prairie du Pont, in the county of St. Clair, are hereby authorized and empowered, on giving notice, to elect three school trustees of said village, and one commissioner. Said election shall Trustees and
commissioner. be held in said village, on the first Saturday in April next, and on the first Saturday of April every two years thereafter. Said school trustees and commissioner shall remain in office for two years, and until their successors shall be elected and qualified for office, and give bond and security to the county commissioners of St. Clair county, for the use of the inhabitants of said village, in the penal sum of five hundred dollars, for the faithful performance of their duties under this act. Elections.

SEC. 2. Said village is hereby incorporated and made a body Incorporation, politic, having perpetual succession, for school purposes; and said commissioner shall have power to sue and be sued, in any court in this State, for and on behalf of said village.

Survey and lease. SEC. 3. Said commissioner is hereby authorized and required to cause to be surveyed off, into suitable lots or parcels of land, the common land belonging to said village, and to lease the same for ninety-nine years, taking from the purchasers their bonds for the interest on said leases, at any rate, not exceeding twelve per cent. per annum, which the said trustees may agree on. Said interest shall be paid half-yearly to said commissioner, for the use of schools for said village; and on failure to pay the same for six months, the lease or leases will be forfeited, and the land revert again, to be the common belonging to said village. Said letting of the common aforesaid shall be under the supervision of the said trustees; and on giving public notice thereof, said commissioner is hereby authorized to execute leases to purchasers, providing therein that the interest is to be paid half-yearly, or otherwise. Said lease to be forfeited after six months' non-payment of said interest. The principal is not to be paid, but the land leased as aforesaid is to remain security for said interest.

School houses. SEC. 4. Said trustees are hereby authorized and empowered to erect school houses, employ teachers, and do and perform all business necessary to carry on schools in said village, and they are authorized and required to call on said commissioner for the funds, from time to time necessary to be used, in accomplishing the objects contemplated by this act. Said commissioner shall be treasurer, as well as commissioner, and receive for his services three per cent. for all moneys collected and paid over to said trustees.

Saving clause. SEC. 5. Should the inhabitants of said village fail to hold an election on the first Saturday of April next, as is provided in this act, on giving notice, the said inhabitants are authorized to hold an election for said officers at any other time, and, after said first election, biennially, on the first Saturdays of April, as is provided in this act. Said trustees shall receive two per cent., each one, on the moneys received and expended under the provisions of this act.

SEC. 6. This act shall be in force from and after its passage.

APPROVED, February 20, 1847.

In force,
February 17, 1847.

AN ACT to allow a school district therein named to levy a tax.

Tax. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the inhabitants, legal voters, of school district number four, in township forty-four north, of range two, east of the third principal meridian, in Winnebago county, be, and they are hereby, authorized to meet at some suitable place in said district, at any time before the first day of June next, for the purpose of voting for or against a tax, of not exceeding one dollar on one hundred dollars valuation of taxable property, both real and personal, contained in said district, as exhibited by the assessment of the county assessor of Winnebago county, for the year one thousand eight hundred and forty-seven, for the purpose of building a school house for said district. Notice of the time and place of such meeting shall be given, by the directors of schools in said dis-*

Build house.

trict, by posting up notices of the time and place of holding such meeting, in at least three of the most public places in said district, and at least ten days before said meeting is to convene.

SEC. 2. The secretary of said meeting shall furnish the clerk of the county commissioners' court, of said county, a copy of the proceedings of said meeting; and, if it be found that a majority so voting have voted for a tax, and have determined on the rate of tax, or the amount of tax to be raised, the said clerk shall calculate the amount of tax thus voted, upon each parcel or tract of land, and each assessment of personal property in said district, and shall cause a separate column to be made in the collector's book of said year, for the purpose of collecting the same.

SEC. 3. The collector of said county shall collect the said tax, and pay the same over to the treasurer of said township, deducting one half the same per cent. as is allowed for collecting county taxes, and the treasurer shall pay the same to the directors of said district.

SEC. 4. This act shall take effect from and after its passage.

APPROVED, February 17, 1847.

AN ACT to legalize the acts of trustees of schools in township forty-five (45) north, of range two (2) east in Winnebago county.

In force,
Feb'y 17, 1847.

WHEREAS, the trustees of school lands, in township forty-five (45) north, of range two (2) east, in Winnebago county, and State of Illinois, in making their returns of the election of trustees of schools, and incorporation of said township, to the school commissioner of said county, neglected to certify to the poll-books of said election, as required by law; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the election of said trustees of schools, and all and singular the acts of said trustees, be, and are hereby, declared legal and binding, to all intents and purposes, both in law and in equity, as if the returns of said election had been made according to law.

SEC. 2. This act to be in force from and after its passage.

APPROVED, February 17, 1847.

AN ACT to authorize the legal voters of McHenry county to elect school directors, and to raise money to build school houses.

In force,
Feb'y 11, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the inhabitants of school district number one, in township number forty-three north, range number eight, east of the third principal meridian, in the county of McHenry, and State of Illinois, are hereby authorized to hold a special election, on the first Saturday of March, A. D. 1847, or as

May levy tax.

soon thereafter as may be convenient, for the purpose of electing three school directors for the above district, to hold their offices until others are elected, and, also, to vote to levy a tax, to be applied towards the building of a school house in said district; the amount to be raised not to exceed three hundred dollars: *Provided*, that, should there be any other school districts in the county of McHenry, in the State of Illinois, wishing to avail themselves of the provisions of this act, they may do so by complying with the requisitions of this act, as relating to district number one, as above.

How tax may be assessed and collected.

SEC. 2. A majority of the legal voters in said district, voting in favor of raising a certain amount, not exceeding three hundred dollars, the amount of money so agreed upon to be raised, shall be, by the clerk of the county commissioners' court, assessed upon the assessment roll of real and personal property of the legal voters in said district or districts, as returned by the last assessment roll, after the holding of said election, and be collected in the same manner, and by the same person, and the same compensation allowed as is now the case in the collection of the public revenues, and to pay the same over, when so collected, to the school directors of said district.

SEC. 3. The return of the poll-books, certified by two judges of the election, shall be sufficient evidence and authority for the clerk of the county commissioners' court to make the assessment and order the collection; and he is hereby ordered to do so, within ten days after the receipt of the poll-books of said election, as above, and deliver the same to the sheriff of the county for collection, which collection shall not be delayed beyond ninety days from the receipt of the orders for collection.

General powers extended.

SEC. 4. It shall be lawful for the legal voters of any school district in the county of McHenry, in the State of Illinois, or a majority of them, to assemble at any convenient place in their several districts, the first Saturday of March, A. D. 1847, or as soon thereafter as it may be convenient, and select two of their number, householders, to act as judges of the election, and one as clerk, who shall proceed to take the votes of the legal voters of the district or districts, and certify to the same, as is required in the third section of this act; the votes to be taken for the purpose of electing school directors, or to levy a tax to raise money, as provided in the first section of this act. The election of directors in this act is not designed to interfere with the general election of school directors, as is now provided by law. This act to take effect from and after its passage.

Saving clause.

APPROVED, February 11, 1847.

In force,
Feb. 23, 1847.

AN ACT relating to common schools in Kane and DeKalb counties.

Tax.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the directors of the school districts, in the counties of Kane and De Kalb, are hereby authorized to raise money by tax, to build school houses in said districts.

SEC. 2. Whenever the directors of any district may call a meeting, for the purpose of raising a tax to build, repair, or rent, a school house, they, or a majority of them, shall cause to be put up notices in the manner required by law, and, by a majority of the votes taken by said meeting, the said directors shall proceed to assess and levy said tax. Said directors shall appoint an assessor in the district, who shall also be the collector, who shall be sworn before some justice of the peace, to make an impartial assessment upon the property of the inhabitants of said district, and levy thereon such tax as a majority of said meeting shall have voted.

SEC. 3. Said directors shall make a tax-list, containing the names of all the taxable inhabitants in said district, with the amount of dollars assessed, and in another column the amount of tax to be paid by each, and deliver the same to said collector, who shall, within ninety days, collect the said tax in the manner and with the same authority, that county collectors collect taxes, and return the same to said directors. Tax list.

SEC. 4. Any misapplication of any part of the money so collected, by any director or assessor, shall vacate his office and subject him to indictment, and, on conviction, to a fine double the amount of the money so misapplied; which fine shall, after being collected by the sheriff, be paid by him to the directors of said district, for the benefit of the said district. This act to take effect from and after its passage. Penalty.

APPROVED, February 28, 1847.

AN ACT to authorize district number one, township thirty-five north, range ten east, to build a school house.

In force,
Jan'y 16, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the inhabitants, legal voters of district number one, in township thirty-five north, of range ten, east of the third principal meridian, be, and they are hereby, authorized to meet at some suitable place in said district, at any time prior to the first day of June, 1847, for the purpose of voting for or against a tax of not exceeding fifty cents on each one hundred dollars in valuation of taxable property, both real and personal, contained in said district, as exhibited by the assessment of the county assessor of Will county, for the year 1847, for the purpose of building a school house for said district. Notice of the time and place shall be given, by the directors of schools in said district, by posting up written notices of the time and place of such meeting, in at least three of the most public places in said district, and at least five days before said meeting is to convene. Voters may raise tax to build school house.

SEC. 2. The secretary of said meeting shall furnish, to the clerk of the county commissioners' court of the said county, a copy of the proceedings of said meeting; and if it shall be found that a majority so voting have determined on raising a tax as aforesaid, and also shall have determined the rate of tax, or amount of tax to be raised, the said clerk shall calculate the amount of tax Duty of sec'y. Tax; how collected.

thus voted upon each tract or parcel of land, and each assessment of personal property in said district, respectively, and shall cause a separate column to be made in the collector's book of said year, for the purpose of collecting the same.

Disposition of
tax.

SEC. 3. The collector of said county shall collect said tax, and pay the same over to the treasurer of the township, and the treasurer shall pay the same to the directors of said district.

APPROVED, January 16, 1847.

In force,
Jan'y 27, 1847.

AN ACT to amend an act in relation to the State library.

Sec'y of State;
duty of.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of the secretary of State, under the direction of the Governor, to sell or cause to be disposed of, in such manner as he shall deem proper, at a price not less than the original cost of the same to the State, the surplus volumes of the Revised Statutes of Illinois for 1845, the surplus volumes of the American State papers, relating to public lands, the surplus volumes of the sixth census of 1840, now belonging to the State of Illinois, and such other surplus volumes as shall be deemed by the Governor unnecessary to be retained in the State library, and for the use of the State; a sufficient number of the above mentioned works, for all the purposes of the State, and for the use of the State library, are to be retained out of the sales aforesaid.

Librarian.

SEC. 2. It shall be the duty of the secretary of State, in addition to his duties in charge of the State library, and as librarian of the same, as is now required by law, to cause all books belonging to the State library to be returned to said library on or before the second Monday before the commencement of each regular session of the State Legislature, and to make a report to each regular session of the Legislature, of the condition of the library, what books, maps and pamphlets have been added to the same since the previous session of the Legislature, what have been lost, if any, and the names of all persons who stand charged with books delivered, which have not been returned; for all which services, as State librarian, the secretary of State shall receive such compensation as the State library committee shall agree upon, not exceeding one hundred dollars per annum.

Compensation.

Catalogue.

SEC. 3. It shall be the duty of the librarian, as soon as the same can be done to the best advantage to the State library, to make or cause to be made a catalogue of all books, pamphlets, maps, &c., in the same, and cause three hundred of the same to be printed.

Application of
proceeds.

SEC. 4. The proceeds of the sales of the surplus books, as mentioned in section one of this act, after paying the necessary expenses of such sale, and all other sums of money appropriated and unexpended, or which may be hereafter appropriated for the use of said State library, shall be expended by the secretary of State, under the direction of the Governor, for the sole and express benefit of said library.

SEC. 5. The copy of the narrative of the United States exploring expedition, furnished by the government of the United States, together with such other volumes in relation to said expedition as may hereafter be published by order of Congress; and the copy of the Natural History of the State of New York, presented to the library by said State, shall not be permitted to be taken out of the library room.

APPROVED, January 27, 1847.

AN ACT to authorize the refunding of the State debt.

In force,
Feb'y 28, 1847.

WHEREAS, the State of Illinois has, at various times, issued a large number of internal improvement bonds of different classes, yet bearing the same numbers, and having interest coupons attached thereto, similar in number and description, thereby causing great confusion, opening a wider door for fraud, and rendering it extremely difficult to pay the interest to those justly entitled thereto; and whereas, also, from the want of a full and perfect record of the classes, numbers and description of the bonds so issued, it is impossible at the present time to determine the precise amount of the indebtedness of the State, its character, and when payable; and whereas, it is of the highest importance that the actual amount and character of the present State debt should be actually ascertained at the earliest possible period, preparatory to a more united and vigorous exertion for its payment, and to enable the convention for altering the constitution, about to assemble, to make some adequate constitutional provision for the payment of the principal when due, the accruing interest, and interest in arrear; therefore,

Preamble.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Governor be authorized and directed to receive from the holders willing to surrender the same, the internal improvement bonds, scrip, and all other evidences of State indebtedness heretofore issued, and now outstanding against the State, (not including the Macalister and Stebbins bonds, nor any canal bonds, scrip, or other indebtedness incurred in behalf of the Illinois and Michigan canal,) and shall thereupon, in exchange for, and in lieu of, such bonds, scrip, or other evidences of indebtedness so surrendered, issue to said holders, other certificates of indebtedness, equal in amount with the amount surrendered; which said new certificates shall, from the date thereof, bear like interest, and be made payable at the same time, with the evidences of indebtedness so surrendered, and shall be denominated "new internal improvement stock of the State of Illinois." No certificate shall be issued of a less denomination than one thousand dollars, except interest certificates, as hereinafter mentioned: *Provided*, that all bonds, scrip, &c., which shall not be surrendered up, in conformity with the provisions of this act, within eighteen months after notice given of a readiness, on the part of the State, to exchange as aforesaid, shall,

Governor to receive bonds.

Exception.

Certificates to be issued, and to bear interest.
Denomination.

thereafter, not be entitled to the benefit of any law which may be passed to pay interest on the State debt.

Interest.

SEC. 2. For the interest now in arrear, certificates shall be issued at the time of making the exchange provided in the foregoing section, which said certificates shall not be of a less denomination than five hundred dollars, shall bear interest at the rate of six per centum per annum, from and after the first day of January, one thousand eight hundred and fifty-seven, and shall be made redeemable, at the pleasure of the State, at any time after the year one thousand eight hundred and seventy-seven.

Certificates redeemable; when.

How signed and where payable.

SEC. 3. All the certificates hereby authorized to be issued shall be signed by the Governor and countersigned by the treasurer, and shall be made payable in dollars and cents in the city of New York.

No coupons.

The interest to be paid semi-annually. No interest coupons shall be attached to the new certificates, but the rate of interest and the time of payment thereof, shall be expressly set forth in the body of the certificate.

Registration.

SEC. 4. Before the delivery of any certificates authorized to be issued by the foregoing sections of this act, the Governor shall cause to be prepared two sets of books, in one of which he shall cause, at the time of making the exchange hereinbefore provided, to be carefully entered a brief and accurate description of each and all of the bonds, scrip, and other evidences of indebtedness, to be surrendered as hereinbefore provided; and in the other set shall be in like manner carefully entered, a precise and accurate description of the number, date, and amount of each certificate, the persons to whom, and the purpose for which, the same are issued, and whatever else may be necessary to preserve a full and true account of the same.

Exchange.

Appropriation;

SEC. 5. The exchange authorized by this act to be made, may be effected in Springfield, Illinois, or in the city of New York, as the Governor shall judge best, and for the purpose of accomplishing the object of this act, a sum not exceeding two thousand five hundred dollars is hereby appropriated out of any money in the treasury not otherwise previously appropriated.

Papers filed.

Governor to issue certificates.

SEC. 6. Whenever any bond, scrip, or other evidences of indebtedness shall be surrendered to the Governor, and a description thereof duly entered as hereinbefore provided, it shall be the duty of the Governor to cause the same to be cancelled, and to file the same in the office of the treasurer of the State, to be preserved as vouchers, and be subject to the future order of the General Assembly. The Governor shall receive from Lyon and Howard, the internal improvement commissioners' drafts now held by them, and issue to them new certificates of stock as hereinbefore provided, instead of the internal improvement scrip which he is now directed by law to issue to them.

Appoint agents.

SEC. 7. The Governor is hereby authorized and empowered to call to his aid such agent or agents as may in his judgment be necessary for carrying into effect the provisions of this act; and the faith of the State is hereby pledged for the payment of the certificates, both principal and interest, authorized to be issued by the foregoing sections of this act. All certificates issued under and by virtue of this act shall be transferable, and books of transfer shall be kept in the cities of Springfield and New York, respectively, by such persons as the Governor may appoint.

Certificates transferable.

SEC. 8. The holders of any State scrip below the sum of one thousand dollars, may present said scrip to the Governor, who shall register and mark it genuine; and the interest and the principal of said scrip shall be paid at the time and times provided by the provisions of this act, for the payment of the State debt. Interest; how paid.

APPROVED, February 28, 1847.

AN ACT supplemental to an act entitled "An act to authorize a settlement with Macalister and Stebbins, and further to diminish the State debt," approved March 4, 1843. In force, March 1, 1847.

WHEREAS, Macalister and Stebbins, of New York, did, upon the Preamble.

17th of June, 1841, receive of John D. Whiteside, then fund commissioner of Illinois, eight hundred and four interest bonds of one thousand dollars each, bearing interest at the rate of six per cent. per annum, and dated May 1st, 1841, reimbursable any time after the year 1865, upon which the said Macalister and Stebbins, about the 25th of June, 1841, advanced two hundred and sixty-one thousand five hundred and sixty dollars and eighty-three cents, they agreeing to advance enough more to make the sum of three hundred and twenty-one thousand dollars, being forty cents on the dollar upon the whole eight hundred and four bonds, which last named advancement never was made; and whereas, the said John D. Whiteside, near the said 25th of June, delivered to the said Macalister and Stebbins thirty internal improvement bonds of one thousand dollars each, upon which they agreed to make a further advance to the State, in case it should be necessary to pay the July interest, but such advance never was made. A short time after this, and previous to the 1st of July, 1841, the said John D. Whiteside gave to the said Macalister and Stebbins an order on Nevins, Townsend & Co., of New York, for forty-one bonds of one thousand dollars each, which they were to pay over to the said John D. Whiteside when they should obtain the same. The said Macalister and Stebbins did obtain these bonds but never paid them over to the State or her agent. About the 27th day of October, 1841, the said Macalister and Stebbins received of Michael Kennedy thirty-eight thousand two hundred and fifteen dollars and forty-four cents, which were placed to the credit of the State by them, as well as the thirty bonds which they received of the said John D. Whiteside, and, also, the forty-one bonds received from Nevins, Townsend & Co., the three last mentioned sums making one hundred and nine thousand two hundred and fifteen dollars and forty-four cents, over and above the eight hundred and four interest bonds first received by them, making in all the sum of nine hundred and thirteen thousand two hundred and fifteen dollars and forty-four cents, which the said Macalister and Stebbins acknowledged in their account rendered the State, at the session of the General Assembly of 1842 '3, (see reports, page 197,) was held in security for the two hundred and sixty-one thousand five hundred

and sixty dollars and eighty-three cents, actually advanced as aforesaid, that sum being but twenty-eight cents and sixty-four hundredths of a cent upon the dollar, of bonds ^{also} as aforesaid received by them; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,* Bonds to be sur- *represented in the General Assembly,* That upon the surrender to rend'd to Gover- the Governor, by the said Macalister and Stebbins, of the balance nor, who shall issue new bonds. of the said eight hundred and four interest bonds, with their coupons, hypothecated with them on the 17th day of June, one thousand eight hundred and forty-one, and now outstanding against the State, and also other internal improvement bonds and scrip subsequently obtained, and amounting, at the time they obtained them, to the sum of one hundred and nine thousand two hundred and fifteen dollars and forty-four cents, over and above the eight hundred and four interest bonds first received by them, as aforesaid, with the coupons upon said bonds, and the interest upon said scrip, from the date they were received by them, it shall then be the duty of the Governor to issue bonds of not less than one thousand dollars each, and payable after the year one thousand eight hundred and sixty-five, bearing interest at the rate of six per cent., and payable semi-annually in the city of New York, *pro rata* out of the interest fund; balance of interest to be paid out of the State treasury. The amount of bonds to be issued by the Governor as aforesaid to be equal to the balance remaining due the said Macalister and Stebbins, principal and interest, at the rate of seven per cent. per annum, as per contract, upon their advance of two hundred and sixty-one thousand five hundred and sixty dollars and eighty-three cents, from the date of said advance up to the time of settlement, under the provisions of this act; and should the said Macalister and Stebbins not surrender to the Governor all of the said eight hundred and four interest bonds, the amount they shall fail to surrender, and being the same heretofore taken up by the State, shall be credited the State and deducted from the amount found due them from the time they shall have been taken up by the State, at the rate of twenty-six cents on the dollar: *Provided*, that no bonds shall be issued by the Governor as aforesaid except upon a surrender to the State of the whole amount of the outstanding interest bonds and other bonds and scrip as hereinbefore stated, and that such surrender be made on or before the fourth day of July next, otherwise this act to be void and of none effect, as also the one to which this is a supplement.

SEC. 2. The bonds authorized to be issued by this act shall bear upon their face the words "Liquidation bonds," and be signed by the Governor, countersigned by the State treasurer, and have the great seal of State affixed thereto, and there shall be preserved in the offices of the secretary of State and treasurer a description of the amounts, dates, and time of issuing said bonds, and the bonds and scrip so taken up under this act shall be cancelled by the Governor, and a list of their dates, numbers, amounts, and by whom signed, recorded in the office of secretary of State.

SEC. 3. So much of the act to which this is a supplement as is inconsistent with this act be, and the same is hereby, repealed. No liability on the part of this State to pay the above enumerated bonds is acknowledged, further than as conceded and expressed in

this act and the act to which this is a supplement. This act shall be in force from and after its passage.

APPROVED, March 1, 1847.

AN ACT to fund State scrip.

In force,
Feb'y 22, 1847.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all such contractors as may have received scrip, certificates of canal indebtedness, or other evidences of canal indebtedness, from the board of commissioners of the Illinois and Michigan canal, and from the Governor, shall have the right to surrender the amount which they may have received as aforesaid, and upon the presentation and surrender of said scrip and indebtedness, the Governor is hereby authorized and required to issue to said contractors, Illinois and Michigan canal bonds, bearing six per cent. interest for the principal thereof, and shall make a computation of interest on all such scrip and indebtedness, from the date of the same, and issue certificates of canal indebtedness (without interest,) for the amount of back interest thus found to be due, which certificates shall be received in payment for all canal lots and lands heretofore sold, and for all dues to the canal fund. The bonds to be issued under the provisions of this act shall be of the same denomination, the principal and interest of which shall be payable at the same time, and in the same manner, and stand upon the same footing, with those heretofore issued. Those who furnished powder to contractors, under a contract made with the board of commissioners, and received canal indebtedness from said board in payment therefor, shall be entitled to the privileges conferred upon other contractors, for such scrip as they may have received under such contract. Contractors may surrender amt.

SEC. 2. When any scrip or canal indebtedness, not bearing interest on its face, and which shall have been registered under the provisions of an act entitled "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt, approved February twenty-first, eighteen hundred and forty-three, and all acts supplemental thereto, shall be presented to the Governor by said contractors, as aforesaid, it shall be the duty of the Governor to compute interest thereon, from its date until the time when the same shall have been registered as aforesaid, and shall issue to said contractors certificates of canal indebtedness for such interest, which shall be receivable for all debts and dues owing to the canal fund for lots and lands heretofore sold; and the Governor shall also compute the interest on the said scrip and canal indebtedness, from the date of the registry aforesaid until the same shall be presented for exchange as aforesaid, and shall issue certificates therefor, as aforesaid, which latter certificates shall be entitled to all the benefits, advantages and preferences given under the acts aforesaid to the interest on registered canal bonds, and shall be paid in the same manner, and the bonds to be issued by the Governor, in exchange for registered scrip and indebtedness, shall have the same force and Duty of Gov'r.

effect, and be entitled to all the advantages and preferences, and shall, in all respects, stand in the place of, and be substituted for, the scrip and indebtedness surrendered and exchanged therefor; and it shall be the duty of the Governor to provide for the registering the new bonds and scrip so issued, and entitled to such preference, in place of the scrip and indebtedness surrendered. The interest on registered canal scrip and indebtedness, bearing interest on its face, shall be computed up to the time when the same shall be presented to the Governor for exchange, and certificates shall be issued therefor, which shall be registered as aforesaid, and shall be entitled to all the advantages and preferences given by the canal laws to interest on registered canal bonds.

SEC. 3. It shall be the duty of the Governor to keep a complete record of all the scrip and indebtedness which may be redeemed as aforesaid, showing the amount redeemed and the amount of interest allowed, and cause the same to be cancelled and deposited in the office of the auditor of public accounts; and shall also keep a complete record of all the bonds issued, with a description of date, amount, and to whom paid.

APPROVED, February 22, 1847.

In force,
Feb'y 16, 1847.

AN ACT in relation to tenants in common.

Taxes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter tenants in common of any real estate in this State shall be, and they are hereby, authorized to pay their respective individual shares of any taxes accruing upon the same, according to their individual interests therein.

Redemption of
interest.

SEC. 2. That tenants in common shall hereafter, in all cases when the lands, tenements, or hereditaments, so holden in common, have been sold for taxes, and the time for the redemption of the same as now provided by law has not expired, be, and they are hereby, allowed to redeem their individual interest in such lands, tenements, and hereditaments, by the payment of tax, interest and costs, accruing upon said interest, as in other cases.

APPROVED, February 16, 1847.

In force,
Feb. 16, 1847.

AN ACT to provide for vacating town plats.

May be vacated;
when.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all cases where persons have heretofore, or may hereafter, lay out towns, or additions to towns, or subdivisions of town lots, and the plats or maps thereof shall have been recorded, they, their heirs, assigns, or grantees, may, at any time before making sale of any single lot or lots, by ex-

cuting a writing, and causing the same to be recorded in the office in which the plat or map was recorded, declare such map or plat to be vacated; and the execution and recording of such writing shall operate to destroy the force and effect of the recording of the plat or map so vacated, and to divest all public rights in the streets, alleys, commons, and public grounds, laid down or described in such plat or map; and in cases where any single lot, or lots, have been sold, the plat or map may be vacated, as herein provided, by all the owners of lots joining in the execution of the writing aforesaid: *Provided*, that no such writing shall be recorded until the execution thereof shall have been acknowledged or proved, as is, or may be, required in respect to deeds.

SEC. 2. The provisions of this act shall not apply to the original plat or map of any town located or laid out as or for a county seat, so long as the county seat shall remain at such town, but plats or maps of additions to such towns, or subdivisions of lots included in the recorded plats or maps thereof, may be vacated as herein provided for: *Provided, however*, that nothing contained in this act shall authorize the closing or obstructing a public road, laid out according to law.

Not to apply to county seats.

SEC. 3. Any part of a plat or map of a town, addition or subdivision may be vacated under the provisions and subject to the conditions herein contained.

APPROVED, February 16, 1847.

AN ACT for the relief of incorporated towns.

In force,
March 1, 1847.

WHEREAS, the county commissioners' courts of many of the counties in this State, acting under the provisions of the road law, have assessed a road tax upon the taxable property within their respective counties, without excluding from the operation of said tax property situated in, and owned by inhabitants of, incorporated towns; and whereas, most of the acts incorporating the inhabitants of towns require such inhabitants to keep all the public roads passing from and through their said towns in repair, for the distance of one mile from the centre thereof, and in consequence thereof said towns are not included in any county road district, but the inhabitants thereof pay for keeping the roads in repair, under the operation of the by-laws of the corporation, and it being manifestly unjust to require the inhabitants of towns so situated to pay double taxes for road purposes; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That in all cases where county commissioners courts have assessed a road tax operating upon property situated in incorporated towns, the inhabitants of which are required to keep the roads passing through and from their said towns in repair, said tax shall be, and the same is hereby, released.

SEC. 2. Hereafter in assessing the road tax by county commissioners' courts, property situated within the limits of incorporated

towns, the inhabitants of which are required to keep the roads in repair, as mentioned in the second section of this act, shall be excluded from the operation of the order assessing said tax.

APPROVED, March 1, 1847.

In force,
February 18, 1847.

AN ACT to fix the standard weight of coal.

Bushel to con-
tain 80 lbs.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever mineral coal shall be sold by the bushel within the limits of this State, and no special agreement as to the weight or measurement shall be made by the parties, the bushel shall consist of eighty pounds, and this shall be the standard weight of a bushel of coal.

SEC. 2. This act to be in force from and after its passage.

APPROVED, February 18, 1847.

In force,
February 11, 1847.

AN ACT to amend "An act concerning wills."

Absolute allow-
ances to widow
and family.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That widows, living in this State, of persons whose estates are administered upon in this State, shall be allowed in all cases, in exclusion of creditors, as their sole and exclusive property forever, necessary beds, bedsteads, and bedding for themselves and families, necessary household and kitchen furniture, one spinning wheel, one loom and its appendages, one pair of cards, one stove and the necessary pipe therefor, the wearing apparel of themselves and families, one milk cow and calf for every four persons in the family, one horse at the value of forty dollars, one woman's saddle and bridle of the value of fifteen dollars, provisions for themselves and families for one year, two sheep for each member of the family, and the fleeces taken from the same, food for the stock above described for six months, fuel for themselves and families for three months, and sixty dollars worth of other property.

Dower.

SEC. 2. In addition to the above, widows of persons who have or may die intestate, shall be entitled to the one-third of the personal estate of their deceased husbands, after the payment of debts, as their property forever.

Duty of apprais-
ers.

SEC. 3. The appraisers shall make out and certify to the court of probate, an estimate of the value of each article of specific property herein allowed to the widow.

Widow may take
other articles.

SEC. 4. In case the widow shall desire to take other property in lieu of that above specified, she shall take the same at the value affixed by the appraisers.

Repeal'g clause.

SEC. 5. The forty-eighth section of the law concerning wills, approved March third, one thousand eight hundred and forty-five, and the first section of the act numbered thirty-seven in the appen-

dix to the revised laws of one thousand eight hundred and forty-five, approved twenty-first February, one thousand eight hundred and forty-five, are hereby repealed, and the remaining sections of said act, numbered thirty-seven, shall relate to the provisions of this act.

SEC. 6. The word "dower," as used in the forty-sixth section of Explanatory the one hundred and ninth chapter of the Revised Statutes, entitled clause. "wills," shall be construed to include a saving to the widows of persons dying intestate, of one-third of the personal estate forever, after the payment of debts.

APPROVED, February 11, 1847.



JOINT RESOLUTIONS.

[No. I.]

JOINT RESOLUTIONS relative to the funding of the State debt.

Resolved by the House of Representatives, the Senate concurring herein, That the State of Illinois is bound by every principle of justice, and a regard to its honor and credit, to make provision for the payment of its debts, and we consider it the fixed policy of the State to provide by all practicable means for the accomplishment of that object.

Resolved, That the Governor be requested to open a correspondence with the holders of our internal improvement bonds, for the purpose of ascertaining on what terms they will consent to the funding of our debt, and the emission of new bonds.

Resolved, That all the electors qualified to vote for delegates to the convention called to amend the constitution, are hereby recommended to vote at the election for said delegates for or against the imposition of a poll tax, not exceeding one dollar on all male citizens of this State, above the age of twenty-one years, soldiers of the revolution, and soldiers of the late war with Great Britain, or the present war with Mexico, wounded or disabled in the service, excepted; and the proper officers are hereby required to give notice of, open polls for, and make returns of, said vote, together with the vote for said delegates.

[No. II.]

RESOLUTION on the subject of the Post Office at Springfield.

1st. *Resolved by the Senate, the House of Representatives concurring herein,* That our senators in Congress be instructed, and our representatives requested, to use their most diligent exertions with the post office department of the United States, to have the post office at the city of Springfield, in this State, made a distributing office, with such regulations as may be sufficient to meet the growing demands upon the same.

2d. *Resolved,* That his excellency the Governor, be requested to transmit a copy of the foregoing resolutions to each of our members in Congress, and also a copy to the honorable postmaster general of the United States.

[No. III.]

JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress for grant of lands.

Resolved by the Senate, the House of Representatives concurring herein, That our senators in Congress be instructed, and our representatives be requested, to use their best endeavors to procure the the passage of a bill, similar to one introduced by the Hon. S. Breese at the last session of Congress, granting to the State of Illinois a quantity of land to aid her in the completion of the Northern Cross and Central railroads.

[No. IV.]

RESOLUTION relative to amending the constitution of the United States.

Resolved by the House of Representatives, the Senate concurring herein, That our representatives in Congress be requested, and our senators instructed, to vote for a proposition to amend the United States' constitution, in such a manner as to change the tenure by which the judges of the United States hold their offices, so that hereafter they hold them for a limited period, and not for life.

Resolved, That the Governor forward to each of our members in Congress a copy of this resolution.

[No. V.]

PREAMBLE AND RESOLUTION upon the subject of claims growing out of the "Illinois campaign," under general George Rogers Clark in 1778—9.

WHEREAS, during the expedition under gen. George Rogers Clark, in the years seventeen hundred and seventy-eight and seventeen hundred and seventy-nine, known as the "Illinois campaign," the forces under him suffered so great privations, and encountered such difficulties, as promised to render abortive the purposes thereof; and whereas, nothing but the aid and advances of certain individuals then resident in the territory, among whom none acted more patriotically and generously than Francis Vigo and the ancient inhabitants of Kaskaskia, rescued the troops from disaster and probable destruction, and secured to the State of Virginia a successful consummation of the purposes of the campaign; and whereas, Virginia has heretofore "audited and allowed" the claims preferred against her on account of the aforesaid advances, the payment of which has devolved upon the United

States, by virtue of the cession of the country then rescued from the armed occupation of the English and Indians combined; and whereas, the United States, notwithstanding their legal and equitable obligation to liquidate the said claims, having, at repeated investigations through committees in Congress, acknowledged the validity thereof, have neglected to discharge the same, although there now remains no reasonable excuse for further delay in their adjustment and payment, the government having already received millions of dollars from the sale of the lands acquired in the aforementioned cession from Virginia, on which said claims were and are subsisting equitable liens, and no reason now being offered for such delay by any, save that based upon the antiquity of such claims, a reason addressing itself only to a mind unwilling to perform an act of justice, and unworthy the regard of a high-minded and grateful nation and government; therefore,

Be it resolved by the People of the State of Illinois, represented in the General Assembly, That our senators in Congress be instructed, and our representatives requested, to use all proper exertions to secure the early adjustment and payment of all such claims as are comprehended within the terms of the foregoing preamble.

Resolved, That the Governor be respectfully requested to transmit to our senators and representatives in Congress, at as early a day as practicable, a copy of the foregoing preamble and resolution.

[No. VI.]

PREAMBLE AND RESOLUTIONS voting thanks to lieutenants Pope and Scarritt, for their gallant conduct at the battles of Monterey.

WHEREAS, we, as Americans, ever feel proud of the gallantry and bravery of our citizens wherever and whenever they have appeared in the field of battle contesting for our country; and whereas, we feel especially proud of the bravery and gallantry exhibited at the taking of the city of Monterey, in seeing among those who distinguished themselves as officers, brave, gallant, and scientific, the names of lieutenants John Pope and Mason Scarritt, both graduates of West Point, and natives of our own beloved State; therefore, be it

Resolved by the General Assembly of the State of Illinois, That the thanks of the citizens of this State are due unto lieutenants John Pope and Mason Scarritt, for their bravery and gallantry exhibited in the battles of the 21st, 22d, 23d, and 24th of September last, at the city of Monterey.

Resolved, That the brave and noble conduct of lieutenants John Pope and Mason Scarritt, in the battles of Monterey, gives us fully the power to assure our fellow citizens of Illinois that her sons, who have left their homes to fight the battles of their country, will well sustain the character of their native and adopted State.

[No. VII.]

PREAMBLE AND RESOLUTIONS relative to the Mexican war.

WHEREAS, the war now existing between the United States and the republic of Mexico has been brought on by the most unparalleled system of insult and aggression on the part of our enemy, who has not only repeatedly refused to fulfil treaty stipulations sacredly entered into for the indemnification of injuries sustained by American citizens, and insultingly rejected an accredited minister of the United States, who had been invited within her borders for the purpose of arranging boundary difficulties, but has on false assumptions, and grounds wholly untenable, entered our territory, and murdered our citizens, thus compelling our authorities to throw aside the amicable feelings entertained towards a neighbor, aiming to maintain a popular government similar to our own, and to resort to the last arbitration of nations in order to sustain our citizens in their rights, to drive from our boundaries an insolent invader, and to preserve from desecration the honor of our nation; and whereas, our government is so constituted that the prime source of all power is in the people, and that their sentiments and opinions expressed to the more remote authorities, through their immediate representatives, form the basis of all correct action on the part of our government, it becomes our duty as representatives of the people of a State that gave the strongest expression in favor of a measure which is made the ostensible cause of the hostile attitude of Mexico, to express our feelings in this important crisis of the war, and to lend to the administration a hearty co-operation; therefore, be it

Resolved by the General Assembly of Illinois, That we approve of the course pursued by the United States government in sending the "army of occupation" into our territory on the Rio Grande, when the intolerable braggadocio of the insolent Mexicans, and their concentration of forces for the invasion of our soil, rendered a war inevitable, and that this course alone could have preserved us from an invasion disgraceful to our national honor, and disastrous to our south-western frontier settlements.

Resolved, That the prompt and efficient manner in which the Congress of the United States, when the first sound of collision was heard in the capitol, stepped forward and voted to the commander-in-chief "the sinews of war," meets with our most cordial approbation, and that we have no hesitation in believing that the same spirit which led them to afford the means for opening the war with a brilliant train of victories, will urge them to vote supplies, to enable our gallant army to close hostilities speedily, and to cover itself with unfading laurels.

Resolved, That the rush of volunteers from every portion of our extended territory, in answer to the call of the President, evinces to the world the innate strength of our government, and the grandeur of its institutions, and must satisfy all, that a citizen soldiery, de-

sending their own homes and firesides, is a most efficient means of defence, and a wall of strength that cannot be broken down.

Resolved, That the gallant bearing of our army on the fields of Palo Alto and Resaca de la Palma, and before the battered walls of Monterey, calls for expressions of the warmest approbation, and that the feats of individual bravery and personal daring exhibited on these occasions by our regular forces, and enthusiastic volunteers, are not eclipsed by any achievements that adorn and brighten the pages of history.

Resolved, That we have the most unlimited confidence in the skill and gallantry of our navy, and from the able manner in which it has been brought to bear upon the defence of our commerce, and the prevention of hostile demonstrations by the enemy, we may be well assured that when called upon to act further, its operations will not be eclipsed even by the brilliant achievements of our victorious army.

Resolved, That great credit is due to the noble sons of Illinois, who, when the government called for troops for the Mexican war, hurried in crowds to the rescue of their country, and for four thousand called, offered more than twice that number, and we feel assured that in any further call for aid, the government will not find the people of Illinois hesitating or complaining, unless they may complain, as they have already done, that many of them are left behind.

Resolved, That we hereby instruct our senators, and recommend our representatives in Congress, to lend their support to the administration, by voting supplies of men, as well as money, for the most active prosecution of the existing war to a speedy and successful termination.

Resolved, That to evince the gratitude and good feeling of the country to the soldiers in the army, engaged in the Mexican war, and to those hereafter entering the military service of the government, a bounty in land of one hundred and sixty acres should be granted by the general government to each soldier as aforesaid; the said land to be selected out of any of the public lands subject to private entry.

Resolved, That three hundred and twenty acres of land should be granted by the general government to the representatives of each soldier dying in the service, or being killed in battle.

Resolved, That the members in Congress from the State of Illinois be respectfully requested to use their best exertions to carry into effect the above resolutions, and that the Governor furnish to each member in Congress from the State of Illinois a copy of said resolutions.

Resolved, That the thanks of the nation are due to general Zachary Taylor, the commander of the army of the Rio Grande, and all the officers and soldiers under his command, for their gallantry and skill in the conduct of the war, at the battles of Palo Alto and Resaca de la Palma, and to generals Taylor and Worth, and the officers and soldiers under their several commands, at the siege of Monterey.

Resolved, That we appreciate the patriotism and gallantry of the brave volunteers from this State, who are now in service in said war, and their faithful and unflinching performance of duty, under the most discouraging circumstances.

[No. VIII.]

PREAMBLE AND RESOLUTION relative to the geological, mineralogical, and agricultural resources of the State of Illinois.

WHEREAS, it is indisputable that for rich geological, mineralogical and agricultural resources, the State of Illinois is not surpassed by any State in the Union ; and whereas, it is of vital importance to the future interest and prosperity of our State, that her latent resources be fully known and developed ; and whereas, it has been represented that the persons named in the following resolution, in their deep interest in the prospective advantages to our State of such a demonstration to the world of her resources, are generously disposed to interest themselves in the advancement of such a result, free of charge ; therefore, be it

Resolved by the House of Representatives, the Senate concurring herein, That A. Randall, Charles Whitlesey, John S. Wright, H. S. Cooley, and Francis Springer, be, and they hereby are, appointed commissioners of the State of Illinois, to prepare and report to the Governor of the State of Illinois, on or before the first Monday in April, one thousand eight hundred and forty-eight, a statement of the propriety, advantages, &c., of a geological survey of this State: *Provided*, that no charge shall be made to this State for their services as said commissioners.

[No. IX.]

PREAMBLE AND RESOLUTIONS instructing senators, &c. in Congress, on the subject of the graduation or cession of the public lands.

WHEREAS, the present land system of the United States tends to retard the population and growth of the States in whose limits the public lands lie ; and whereas, the true policy of the federal government is to encourage the sale and settlement of the public lands thereof, whereby the national wealth will be increased, and national prosperity promoted ; and whereas, the present condition of things in this State loudly calls for the exertion of all the just powers conferred on the Legislature hereof, to place her in a better attitude, and to improve her financial condition ; and whereas, the reduction of the price of the public lands of the United States, lying within the constitutional boundaries of the State, would tend to increase the population, and, in a corresponding degree, the resources of the State, and thereby the means to pay the present large debt of the State ; therefore,

Resolved by the General Assembly of the State of Illinois, That our senators in Congress be instructed, and our representatives requested, to use their best endeavors to procure the passage of a law to

reduce the price of the public lands within the limits of the several States, or for the cession of the same to the States in whose boundaries they may respectively lie, as the one or the other measure shall be deemed more practicable at this time.

Resolved, That the Governor of this State be respectfully requested to forward a copy of the foregoing preamble and resolution to each of our senators and representatives in the Congress of the United States of America.

[No. X.]

RESOLUTION relative to the Mississippi river and Lake harbors.

Resolved by the Senate, the House of Representatives concurring herein, That our senators in the Senate of the United States be instructed, and our representatives be requested, to use their best exertions to procure, at the present session, the passage of a law by Congress making appropriations for the improvement of the Mississippi river and the lake harbors.

Resolved, That the Governor be requested to forward a certified copy of this resolution to our senators and each of our representatives in Congress.

[No. XI.]

RESOLUTION relative to binding the laws, &c.

Resolved by the House of Representatives, the Senate concurring herein, That the acts passed at this General Assembly shall be bound in half binding, and that but five hundred copies of the incorporation and private acts be printed.

[No. XII.]

JOINT RESOLUTION relative to the construction of a railway from Lake Michigan to the Pacific ocean.

Resolved by the House of Representatives of the State of Illinois, the Senate concurring herein, That we have seen and read with pleasure the very interesting report of our worthy and intelligent senator Brëese, upon the propositions of Mr. Whitney, of New York, on the subject of a railroad from Lake Michigan to the Pacific ocean, and heartily concur in the sentiments and ideas therein set forth.

Resolved, further, That our senators and representatives in Congress be, and they are hereby, requested and instructed to use their influence in sustaining the propositions of Mr. Whitney, which have been submitted to the Congress of the United States for a railroad from Lake Michigan to the Pacific ocean.

Resolved, That a copy of the above resolutions be transmitted by the Governor of this State to each of our senators and representatives in Congress.

[No. XIII.]

RESOLUTION concerning the printing of the laws.

Resolved by the General Assembly, That the secretary of State be instructed to publish all laws of a general nature, passed at this session of the General Assembly, which take effect from their passage, or which take effect immediately thereafter, in the Illinois State Register and in the Sangamon Journal, immediately after the adjournment of the General Assembly; which laws, so published, shall be evidence of what therein is provided: *Provided,* that the cost of publishing said laws shall not exceed one hundred dollars to each paper; and that one copy of each paper shall be furnished to the clerks of the circuit and county commissioners' courts.

[No. XIV.]

JOINT RESOLUTIONS instructing our senators and representatives in Congress relative to Oregon.

Resolved by the Senate, the House concurring herein, That our senators in Congress be instructed, and our representatives requested, to use their best exertions in favor of the early passage of a law extending the laws of the United States, and providing for the organization of a government, over and in the territory of Oregon; and, also, to provide for the establishment of military posts on the route from the western settlements in Missouri, to the settlements in Oregon, and for the transportation of a monthly mail, to and from that territory; and, also, for liberal donations of land to those who are now and may hereafter become the early settlers of that country.

Resolved, That the Governor be requested to forward a copy of these resolutions to each of our senators and representatives in Congress.

[No. XV.]

PREAMBLE AND RESOLUTION resolution relative to the improvement of the Great Wabash.

WHEREAS, the improvement of the Wabash river is of vital importance to the State, and more particularly to the citizens residing in the eastern section of Illinois ; and whereas, in our opinion the Wabash is one of the great navigable streams referred to in the ordinance of one thousand seven hundred and eighty-seven, whose navigable waters lead into the Mississippi, and is by nature intended by the said ordinance to be considered the common highway for all of our citizens ; therefore,

Be it resolved, That our senators in Congress be instructed, and our members requested, to use their endeavors, in conjunction with the members from Indiana, to procure the passage of a law giving and to the States of Indiana and Illinois, to be sold, and the proceeds laid out solely for the improvement of the navigation on said river, and for no other purpose.

Resolved, That the Governor transmit a copy of this resolution to each of our senators and members in Congress.

[No. XVI.]

JOINT RESOLUTIONS to present swords to lieutenants Pope and Scarritt.

Resolved by the General Assembly of the State of Illinois, That there be presented, in behalf of this State, a sword to lieutenant John Pope, as a testimonial of the high estimation in which are held his gallant conduct, noble bearing, and important services in the battle of Monterey, where he honored this, the land of his birth, and shed a lustre on the arms of his country, proving himself to be a soldier, brave and patriotic, and by carrying off the field, while exposed to the most imminent danger, amidst showers of balls, covering him with dust, a wounded fellow officer, to be a man, feeling and humane.

Resolved, That there be, also, presented a sword to lieutenant Mason Scarritt, as a testimonial of the high estimation in which are held his gallant and noble bearing in the same battle, where he honored this State, in which he was raised, and shed lustre on the arms of his country, proving himself to be a soldier both brave and patriotic.

Resolved, That the Governor procure two swords, with suitable devices, and present one to lieutenant John Pope, and the other to lieutenant Mason Scarritt.

[No. XVII.]

PREAMBLE AND RESOLUTIONS relative to school lands.

WHEREAS, the Congress of the United States has granted to the State of Illinois the sixteenth section of each township, for the support of common schools; and whereas, in many cases, such lands are, in whole or in part, worthless and unproductive; and whereas, it is desirable to make the school fund of each township as productive as well for the present as any future generation of children; therefore, be it

Resolved, That our senators in Congress be instructed, and our representatives be requested, to use their best exertions to procure the passage of a law authorising the citizens of each township, where their sixteenth section is unproductive in whole, or in part worthless, to relinquish such sections and select other lands in lieu thereof, belonging to the general government, in this State.

Resolved, That the Governor of the State of Illinois transmit a copy of this preamble and resolution to each of our members in Congress.

[No. XVIII.]

RESOLUTION relative to the per centage of the Illinois school fund.

Resolved by the House of Representatives, the Senate concurring herein, That our senators in Congress be instructed, and representatives requested, to use their influence to rescind a resolution of the Congress of the United States, approved March third, one thousand eight hundred and forty-five, by the authority of which the secretary of the treasury retains a portion of the per centage to which this State is entitled out of the sales of the public lands lying within the limits of this State.

Resolved, That his excellency, the Governor, be requested to transmit a copy of the foregoing resolution to each of our senators and representatives in Congress.

[No. XIX.]

RESOLUTION in relation to continuing the Cumberland road.

Resolved by the House of Representatives, the Senate concurring herein, That our senators in Congress be instructed, and our representatives requested, to use their strenuous exertions to procure

the passage of a law making an appropriation of money for the continuation and completion of the Cumberland road through the State of Illinois.

Resolved, That the Governor of this State be requested to forward a copy of the above resolution to each of our members in Congress.

[No. XX.]

RESOLUTIONS concerning pensions to persons employed in the ranging service.

WHEREAS, there are persons now living in this State who, in early life, and when our country was a wilderness, settled here, and encountered the dangers of the tomahawk and scalping-knife of the savage, together with the privations incident to the settlement of a new country, and who, when war was declared between this country and Great Britain, gallantly defended its interests, vindicated its rights, and endured hardships equal to those for whom Congress has provided pensions and other modes of relief; and whereas, the government of the United States has made no provision for those persons, or the families of those who lost their lives in that service, and as these fathers of their country, and its early pioneers, are fast sinking into their graves, unheeded and unprovided for by the government and country they have so faithfully and efficiently served; many of them, in consequence of exposure and hardships encountered in the service of their country, as well as on account of their advanced age, being unfitted to support and maintain themselves during their declining years; therefore, be it

Resolved by the General Assembly of the State of Illinois, That we deem it due to the persons employed in the ranging service of the United States, during the last war, that their names should be placed upon the pension lists of the United States, upon the same terms and footing as others to whom pensions have been granted by our national government.

Resolved by this General Assembly, That our senators in Congress be instructed, and our representatives be requested, to use their best exertions to procure the passage of an act of the Congress of the United States, for carrying into effect the provisions contemplated in the foregoing preamble and resolutions.

[No. XXI.]

PREAMBLE AND RESOLUTIONS relative to the Mexican war.

WHEREAS, the government of the United States are engaged in war, and it being desirable that the same should be prosecuted

with vigor and energy on the part of this government, and terminated as speedily as possible by taking the capital of Mexico, if necessary, to its honorable termination ; therefore, be it

Resolved by the House of Representatives of the State of Illinois, the Senate concurring herein, That our senators in Congress be instructed, and our members requested, to vote for any proposition, constitutional and practicable, for raising men and money to carry on the war ; and that they aid, by every means in their power, any measure or proposition that in their opinion will nerve the arm of government to increased vigor in the prosecution of the same.

Resolved, That the Governor of this State forward a copy of this preamble and resolution to each of our senators and members in Congress, with all possible speed.

[No. XXII.]

JOINT RESOLUTION asking Congress to donate land to townships to aid in establishing libraries.

Resolved by the House of Representatives of the State of Illinois, the Senate concurring herein, That our representatives in Congress are requested, and our senators instructed, to use their best exertions to procure the passage of a law donating one quarter section of land to each township in this State, for the purpose of establishing a public library therein ; said land to be selected from any lands subject to entry in the county where the township is located. Said land to be selected by the school commissioners of the respective counties. And further, that his excellency, the Governor, be requested to forward a copy of the foregoing resolution to each of our senators and representatives in Congress.

DEPARTMENT OF STATE, }
State of Illinois. }

I, HORACE S. COOLEY, secretary of State of the State of Illinois, hereby certify the foregoing to be true and perfect copies of the enrolled laws, resolutions and memorials, deposited in this office; the words printed in brackets, thus [], in the several laws in which they occur, not being in the enrolled laws, but are introduced in the printed laws for the purpose of correcting and explaining the same.

In testimony whereof, I have hereunto subscribed my name, at Springfield, this 19th day of April, 1847.

H. S. COOLEY,
Secretary of State.

AUDITOR'S REPORT.

1894

ANNUAL REPORT OF THE

COMMISSIONER OF THE

LAND OFFICE
OF THE
STATE OF NEW YORK
FOR THE YEAR
1894
ALBANY: J. B. LIPPINCOTT & CO. 1895

REPORT
OF THE
AUDITOR OF PUBLIC ACCOUNTS.

DECEMBER 11, 1846.

AUDITOR'S OFFICE, ILLINOIS,
Springfield, December 7, 1846.

To the Honorable

The Speaker of the Senate:

SIR: In pursuance of the 11th section, chapter 13, Revised Statutes, 1845, I have the honor to submit to the General Assembly the following report.

I have the honor to be, with great respect,

Your obedient servant,

THOS. H. CAMPBELL,

Auditor of Public Accounts.

Dr.

MILTON CARPENTER, State Treasurer, in account with the State of Illinois.

CR.

To balance in the treasury on the 1st December, 1844,	\$11,412 05	By amount of auditor's warrants, cancelled by him and deposited in the auditor's office,	\$280,829 86
" amount received from collectors of 1845, from 1st December, 1844,	123,602 51	" interest on the same,	1,166 61
" " " " " "	137,528 03	" discount on State Bank paper,	519 65
" received from collectors and clerks, of years prior to 1844, to 1st December, 1846,	27,894 02	" old State Bank paper burned,	8 15
" " " " " " for redemption of delinquent lands from 1st Dec., 1844, to 1st April, 1845,	1,201 57	" internal improvement scrip, received by him for revenue and deposited with the Governor, certificates for the interest on the school, college, and seminary fund,	1,687 50
" " " " " " from clerks for redemption and sales of delinquent lands, up to the 1st December, 18'6,	5,614 74	By this amount to balance account,	38,284 28
" " " " " " Secretary of State, for hawkers' and pedlars' license, from the 1st Dec., 1844, to 1st December, 1846,	2,100 00		8,327 14
" " " " " " clerks on insurances,	613 12		
" " " " " " redemption by minor heirs,	537 06		
" " " " " " for money refunded for warrants issued in error,	180 71		
" " " " " " from the three per cent. fund,	14,102 11		
" " " " " " the distribution fund,	252 90		
" " " " " " fines,	100 00		
" " " " " " clerks for brokers' license,	400 00		
" " " " " " the sale of State-lands,	184 37		
" " " " " " for bonus from lessee of the penitentiary,	5,100 00		
	<u>\$330,823 19</u>		<u>\$330,823 19</u>
To balance in the treasury 1st December, 1846,	\$8,327 14		
To amount of interest fund tax, received from 1st December, 1844, to 1st December, 1846,	\$62,024 33	By amount of auditor's warrants for interest fund tax, paid and cancelled by him,	\$62,000 00
To balance of interest fund tax in the treasury, 1st December, 1846,	\$24 33	By amount to balance account,	24 33
			<u>\$62,024 33</u>

For balance of redemption money in the treasury on the 1st day of December, 1844, - - -	\$1,947 15	By amount of redemption money paid out from the 1st of December, 1844, to 1st December, 1846, - - - By this amount to balance account, - - -	\$637 76
For amount received into the treasury from 1st December, 1844, to the 1st December, 1846, - - -	537 06		1,846 45
1846. December 1. For balance of redemption money in the treasury this first day of December, 1846, - - -	\$2,484 21		\$2,484 21
	\$1,846 45		

A Statement showing the amount of warrants drawn upon the Treasurer from the 1st day of December, 1844, to the 1st day of December, 1846, for the current expenses of the State, and charged to the following accounts.

To what account charged.	Amount.
Advertising delinquent lands, - - - - -	\$3,507 41
Auditor of public accounts, - - - - -	3,184 61
Attorney general, - - - - -	1,035 71
Appropriations, special, - - - - -	33,020 71
Bank commissioner, - - - - -	600 00
Clerks' and sheriffs' fees on judgments, - - - - -	147 60
" fees on lands, - - - - -	4,679 71
Conveying convicts to the penitentiary, - - - - -	7,311 81
Contingent fund, - - - - -	4,350 71
Circuit attorneys, - - - - -	5,080 21
County assessors, - - - - -	13,014 51
County tax on land redeemed, - - - - -	1,090 31
Deaf and dumb asylum, - - - - -	4,269 31
Distribution of laws and journals, - - - - -	3,818 31
Fugitives from justice, - - - - -	2,996 11
The Governor, - - - - -	3,817 00
The General Assembly, - - - - -	55,665 00
Interest on school, college and seminary fund, - - - - -	49,661 91
The judiciary, - - - - -	26,372 91
Incidental expenses, - - - - -	11,805 00
The militia, - - - - -	1,925 00
Money refunded, - - - - -	2,536 01
Premium on silk, - - - - -	16 60
Public printing, - - - - -	10,608 41
" binding, - - - - -	3,623 71
Redemption money, - - - - -	637 71
Secretary of State, - - - - -	2,074 21
The treasurer, - - - - -	1,826 11
Transcribing books, - - - - -	1,730 81
Bounty on wolf scalps, - - - - -	405 50
Secretary of the fund commissioner, - - - - -	950 00
The commissioners for taking the census, - - - - -	9,650 91
Porter of the State house, - - - - -	421 61
Sheriff attending supreme court, - - - - -	592 00
The interest fund tax, - - - - -	62,000 00
	\$334,428 60
Deduct from the above sum the amount expended for special disbursements, including interest fund tax, - - - - -	129,654 60
Amount disbursed for ordinary expenses, - - - - -	\$204,774 00

A Statement of the amount drawn from the treasury on account of the contingent fund, from the first December, 1844, to first December, 1846.

Date.		To whom paid, and for what.	Amount.
1844.			
Dec.	27	To warrants to Gustavus Koerner, in full, for translating the Governor's message into the German language,	\$20 00
1845-			
Jan.	23	To warrants to P. B Fouke, in full, for advertising sale of State lands in "Belleville Advocate" for six months in 1843 and 1844,	30 00
"	25	To warrants to H. E. Roberts, in full, for services rendered the State as messenger in the Hancock difficulties in 1844, per order of the Governor,	42 25
Feb.	7	To warrants to J. Lamborn, in full, as a messenger under Governor Ford in the call of the militia,	9 00
"	28	To warrants to John Calhoun, in part, for going to St. Louis after engraved plates, &c,	29 45
March	10	To warrants to John Calhoun, in full, for going to St. Louis after engraved plates,	10 50
"	11	To warrants to A. T. Bledsoe, in full, for his services as attorney in prosecuting the supposed murderers of J. and H. Smith,	100 00
"	19	To warrants to Middleton Tackerbury, in full, for counting timber and selling railroad at Tremont by order of the Governor,	7 50
"	20	To warrants to Thompson Campbell, in full, for his services as attorney in prosecuting the supposed murderers of J. and H. Smith,	100 00
"	22	To warrants to J. Hay, in full, for his bill for furniture, furnished for fitting up the the Senate chamber,	1 00
"	29	To warrants to J. Bunn, in full, for powder furnished by him to fire national salute on the 8th of January, 1845,	16 00
April	4	To warrants to S. C. Runyon, in full, for work done by him in committee room in the State house,	1 50
"	7	To warrants to E. Adams, in part, for going to Cincinnati as agent for the State after engraved plates,	50 00
"	23	To warrants to Thompson Campbell, in full, for copying certain records, &c., for the use of the State.	176 72
May	10	To warrants to Thompson Campbell, in full, for the bill of W. C. Bryant, for publishing proposals for paper, in the New York Evening Post, in 1843,	6 40
June	2	To warrants to John Wentworth, in full, for publishing the Governor's proclamation for the election of trustees of the canal,	5 50
"	3	To warrants to John Calhoun, in part, for the amount allowed J. Lamborn, for prosecuting the murderers of J. Smith,	100 00
"	3	To warrants to Lesure & Bliss, in part, for the amount allowed J. Lamborn, for prosecuting the murderers of Jos. Smith,	86 25
"	3	To warrant to J. Lamborn, in full, for the amount allowed him for prosecuting the murderers of Jos. Smith,	13 05
"	5	To warrants to Murray McConnell, in full, for amount allowed him for money expended and services rendered in procuring evidence against the murderers of J. Smith,	175 00
"	30	To warrants to Robert Elder, in full, for his services as messenger from Chicago to Springfield and back, to procure the State seal to a deed of trust from the Governor to the trustees of the Illinois and Michigan canal,	50 00
July	16	To warrants to J. Lamborn, in full, for his services as attorney, for prosecuting two fugitives, for stealing railroad iron,	25 00
Aug.	12	To warrants to W. M'Donald, in full, for his services and expenses in going to Hancock county, to demand State arms,	100 00

Contingent fund—Continued.

Date.	To whom paid, and for what.	Amount.
1845. August 15	To warrants to J. B. Thomas, in full, for his services as attorney for the State, in case of the liquidation of the State Bank.	\$200 00
" 16	To warrants to R. M. Young, in full, for his services as attorney for the State, in case of the liquidation of the State Bank,	100 00
" 19	To warrants to Thomas Ford, in full, for his expenses in going to Chicago, to meet canal trustees,	49 00
" "	To warrants to Thomas Ford, in full, for his expenses in going to St. Louis, for the school fund,	25 00
" "	To warrants to E. Adams, in full, for his expenses in going to Carrollton & Quincy, for State bonds, &c.,	52 20
Sept. 13	To warrants to S. S. Brooks, in full, for his services in putting on canvass and mounting map of hydrographical basin of Mississippi river,	5 00
" 22	To warrants to J. E. Rucker, in full, for the services and expenses of messengers employed by him in calling the militia together in 1844,	13 50
October 1	To warrants to E. Adams, in full for his service for registering and cancelling canal bonds,	100 00
" 1	To warrants to George Walker, in full, for his services and expenses in the Mormon war, as messenger,	32 45
" 15	To warrants to James A. M'Dougall, in full, for the services of J. S. Bailey, as State's attorney, in case of the people vs. T. S. Brockman and others.	20 00
" "	To warrants to James A. M'Dougall, in full, for his services and expenses in attending the expedition of Gen. Hardin, to Hancock county, in 1845,	150 00
" 21	To warrants to E. D. Baker, in full, for his services and expenses on special duty in 1844, as Col. of Illinois volunteers under Gen. Hardin,	14 57
" "	To warrants to E. D. Baker, in full, for his services and expenses as special messenger to Carrollton, Waverly, Jacksonville and Jerseyville, to raise troops in 1845,	40 00
" "	To warrants to S. J. Johnson, in full, for his services and expenses as special messenger to Petersburg, and Beardstown, to raise troops in 1845,	25 00
November 1	To warrants to W. B. Warren, in part, for contingent expenses of detachment of volunteers in Hancock county,	100 00
" 10	To warrants to E. Adams, in full, for his services and expenses as agent in selecting lands for the State in October 1845,	139 37
" 24	To warrants to J. Lamborn, in full, for amount paid by him to witnesses in the case of the people vs. Crisman, for stealing railroad iron,	23 50
December 6	To warrants to T. P. Shope, in full, for his services in collecting and taking care of the public arms in La Salle co.,	55 00
" 17	To warrants to J. J. Hardin, in full, for the amount allowed him to pay messengers in the Hancock war,	110 00
" "	To warrants to Myer & Council, in full, for their bill of work, in repairing the Governor's house,	5 00
" 24	To warrants to M. Brayman, in full, for his services as special council, in case of the people vs. J. B. Backenstos,	100 00
" "	To warrants to M. Brayman, in full, for his services and expenses in Hancock county, during the Mormon difficulties, from Oct. 17, to Nov. 27, 1845,	150 00
" 31	To warrants to M. Carpenter, in full, for bringing the 3 per cent. fund from St. Louis to Springfield,	32 25

Contingent Fund—Continued.

Date.		To whom paid, and for what.	Amount.
1846.			
January	3	To warrants to John King, in full, for board and expenses of a guard in the case of the People vs. J. B. Backentos, -	\$37 50
March	11	To warrants to W. B. Warren, in full, for amount allowed him to purchase supplies for the volunteers under his command, stationed in Hancock county, -	200 00
April	8	To warrants to E. Moore, in full, for his expenses in going to Belleville, on business for the State, -	16 45
"	21	To warrants to D. M. Hitchcock & Co., in full, for lightning rods, furnished for the Governor's house, -	16 73
"	"	To warrants to L. Levering, in full, for paper furnished for the Governor's house, -	9 13
May	2	To warrants to E. G. Johns, in full, for his services in repairing Governor's house, -	14 05
"	"	To warrants to Lewis & Tunison, in full, for one pipe and pump, furnished for Governor's house, -	30 50
"	9	To warrants to W. Walters, in full, for printing done for the executive department, -	61 00
"	19	To warrants to N. D. Strong, in full, for his services as State attorney in the case of the State vs. Trenchery & Stephens, -	20 00
June	26	To warrants to W. Walters, in full, for printing done by order of the Governor, -	181 50
July	30	To warrants to J. Bailhache & Co., in full, for printing done for the use of the Illinois volunteers, -	48 94
"	"	To warrants to J. G. Lamb, in full, for provisions furnished capt. Dodge's company of volunteers, before being mustered into service, -	36 19
August	19	To warrants to J. Hopkins, in full, for amount allowed him as an express from Carrollton to Jerseyville to bring dispatches in Mormon war, -	6 00
"	"	To warrants to L. M. Webber, in full, for his time and expenses in preparing to move the Pottowattomie Indians across the Mississippi river, -	125 00
"	31	To warrants to M. Brayman, in full, for going to Hancock county, to superintend the execution of certain warrants, &c., -	50 00
September	30	To warrants to M. Brayman, in full, for his services as special attorney, during the late disturbances in Hancock county, -	78 75
"	"	To warrants to M. Carpenter, for his services and expenses, transporting and guarding \$30,000 in specie from Springfield to Lockport, -	150 07
October	8	To warrants to J. E. Dunn, in full, for his services and expenses as witness in behalf of State vs. certain persons for stealing railroad iron, -	91 50
"	"	To warrants to S. Wilson, in full, for his services and expenses as witness in behalf of the State vs. certain persons for stealing railroad iron, -	43 00
"	"	To warrants to Nathan Wheeler, in full, for his services and expenses as witness in behalf of the State vs. certain persons for stealing railroad iron, -	38 00
"	"	To warrants to Jacob S. Mathews, in full, for his services and expenses as witness in behalf of the State vs. certain persons for stealing railroad iron, -	23 00
"	19	To warrants to Thomas Ford, in part, of amount necessary to defray the expenses of troops in going to Hancock county, to aid him in enforcing the law, -	250 00

Contingent Fund—Continued.

Date.	To whom paid, and for what.	Amount.
1846. November 28	To warrants to Geo. R. Weber, in full, for printing proclamation, handbills, &c., per order of the Governor, as per bill on file, - - - - -	\$69 10
“ “	To warrants to Johnson & Bradford, in full, for binding 227 vols. of 28th Congress at 35 cts. each, per order of the Governor, - - - - -	56 75
		\$4,350 77

A STATEMENT of the amount of warrants drawn upon the treasurer on account of special appropriations, from first December, 1844, to December first, 1846.

Date.	To whom paid, and for what.	Amount.
1844. December 2	To warrants to H. Butler, in full, for bringing the returns of the presidential election from Lake county, - - -	\$28 00
" 3	To warrants to N. B. Judd, in full, for bringing the returns of the presidential election from Cook county, - - -	24 00
" 4	To warrants to J. M. Warren, in full, for bringing the returns of the presidential election from DuPage county, - - -	22 00
" "	To warrants to J. D. Wood, in full, for mileage as elector for President and Vice President, - - -	36 00
" 6	To warrants to N. H. Purple, in full, for mileage as elector for President and Vice President, - - -	22 50
" "	To warrants to Willis Allen, in full, for mileage as elector for President and Vice President, - - -	60 00
" "	To warrants to A. W. Cavarly, in full, for mileage as elector for President and Vice President, - - -	21 00
" "	To warrants to I. N. Arnold, in full for mileage as elector for President and Vice President, - - -	72 00
" "	To warrants to Wm. A. Richardson, in full, for mileage as elector for President and Vice President, - - -	18 00
" "	To warrants to Augustus C. French, in full, for mileage as elector for President and Vice President, - - -	48 00
" 12	To warrants to John Dement, in full, for mileage as elector for President and Vice President, - - -	72 00
" "	To warrants to J. W. Warmising, in full, for bringing the returns of the presidential election from Menard county, - - -	2 20
" 19	To warrants to Willis Allen, in full, as a member of the board of investigation of Jackson county, - - -	22 00
" "	To warrants to Jefferson Allen, in full, as a member of the board of investigation of Jackson county, - - -	4 00
1845. January 4	To warrants to E. G. Boyce, in full, for work done in fitting up the two halls of the State house, - - -	1 25
" "	To warrants to Stephen Duncan, in full, for work done in fitting up the two halls of the State house, - - -	47 75
" "	To warrants to Thomas J. Burns, in full, for work done in fitting up the two halls of the State house, - - -	23 75
" "	To warrants to M. Millington, in full, for work done in fitting up the two halls of the State house, - - -	7 81
" "	To warrants to Hiram Wood, in full, for work done in fitting up the two halls of the State house, - - -	65 31
" 6	To warrants to Mary Neale, in full, for work done in fitting up the two halls of the State house, - - -	6 87
" "	To warrants to Jane McClellan, in full, for work done in fitting up the two halls of the State house, - - -	3 12
" "	To warrants to Bethireh Butler, in full, for work done in fitting up the two halls of the State house, - - -	3 75
" "	To warrants to Charlotte Butler, in full, for work done in fitting up the two halls of the State house, - - -	2 81
" "	To warrants to Julia Dodge, in full, for work done in fitting up the two halls of the State house, - - -	4 06
" "	To warrants to R. S. Hillman, in full, for work done in fitting up the two halls of the State house, - - -	3 75
" 14	To warrants to Wm. W. Doty, in full as a member of the board of investigation of Jackson county, - - -	4 00
February 14	To warrants to James A. McDougall, in full, for amount allowed him for furnishing written opinion, in the case of R. Eels against the State of Illinois, - - -	75 00
" 18	To warrants to Chas. Gilman, in full, for an appropriation made him, session 1844 and '45, as clerk of committee on public accounts and expenditures, - - -	30 00

Special Appropriations—Continued.

Date.	To whom paid, and for what.	Amount.
1845.		
February 26	To warrants to N. L. Hawley, in full, for bringing the returns of the presidential election from Will county, - -	\$20 50
" "	To warrants to W. B. Warren, in full, for an appropriation made for military services of 1st regiment Illinois militia, session 1844 and '45, - -	4,710 4
" 27	To warrants to Jas. W. Singleton, in full, for an appropriation made for military services of a company of Illinois militia under his command, session 1844 and '45, - -	351 7
" 28	To warrants to Thos. H. Owens, in full for an appropriation made to him, as commissary of Illinois militia, - -	343 10
March 3	To warrants to W. J. Allen, in full, for an appropriation made to him by General Assembly, session 1844 and '45, - -	12 00
" "	To warrants to Rogers and Karnes, in full, for an appropriation made them by the General Assembly, session 1844 and 1845, - -	107 4
" "	To warrants to Thos. M. Fithian, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - -	448 00
" "	To warrants to the city of Quincy, in full, for an appropriation made said city by General Assembly, session 1844 and '45, - -	165 9
" "	To warrants to Wm. Williamson, in full, for an appropriation made to him by the General Assembly, session 1844 and '45, - -	105 00
" "	To warrants to J. R. Pierce, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - -	15 00
" "	To warrants to Thos. Short, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - -	100 00
" "	To warrants to E. A. Bedell, in part, for an appropriation made him by the General Assembly, session 1844 and '45, - -	20 90
" "	To warrants to Gould & Mellon, in full, for an appropriation made them by the General Assembly, session 1844 and '45, - -	122 8
" "	To warrants to F. A. McNeil, in full for an appropriation made him by General Assembly, session 1844 and '45, - -	21 00
" "	To warrants to W. J. Taylor, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - -	4 00
" "	To warrants to Samuel Ashton, in full, for an appropriation made him by the General Assembly, session 1844 and 1845, - -	6 00
" "	To warrants to M. Brayman, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - -	800 00
March 4	To warrants to Hough & Davis, in full, for an appropriation made them by the General Assembly, session 1844 and '45, - -	5 00
" "	To warrants to R. Radford and A. McCormick, in full, for an appropriation made them by the General Assembly, session 1844 and '45, - -	300 00
" "	To warrants to Thos. J. Burns, in full, for an appropriation made to him by the General Assembly, session 1844 and '45, - -	28 47
" "	To warrants to Emma Smith, in full, for an appropriation made her by the General Assembly, session 1844 and '45, - -	81 00
" "	To warrants to J. B. Noble and J. Ells, for an appropriation made them by the General Assembly, session 1844 and '45, - -	19 75
" "	To warrants to E. A. Bedell, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - -	74 25
" "	To warrants to E. Moore, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - -	1,200 00
" "	To warrants to W. McDonald, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - -	199 00

Special Appropriations—Continued.

Date.	To whom paid, and for what.	Amount.
1845. March 4	To warrants to M. K. Anderson, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	\$65 20
" "	To warrants to Thos. J. Burns, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	21 75
" "	To warrants to W. L. D. Ewing, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	4 00
" "	To warrants to John Craig, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	27 75
" "	To warrants to H. E. Roberts, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	112 00
" "	To warrants to H. E. Roberts, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	30 22
" "	To warrants to V. Hickox as paymaster, in full, for an appropriation made Illinois volunteers by the General Assembly, session 1844 and '45,	6,739 37
" "	To warrants to E. H. Merryman, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	21 00
" "	To warrants to Wm. McDonald, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	8 00
" 5	To warrants to Jno. B. Weber, in full, for an appropriation made to J. Shutt by the General Assembly, session 1844 and '45,	93 00
" "	To warrants to J. Weatherford, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	17 50
" "	To warrants to J. M. Morse, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	662 00
" "	To warrants to Johnson & Bradford, in full, for an appropriation made to them for two volumes Gale's Statutes, by the General Assembly, session 1844 and '45,	10 00
" "	To warrants to R. S. Hillman, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	135 12
" "	To warrants to John Hutchinson, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	81 00
" "	To warrants to W. Prentiss, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	34 00
" "	To warrants to Wm. Walters, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	4 50
" "	To warrants to Jno. Stewart, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	6 00
" "	To warrants to S. M. Tinsley & Co., for an appropriation made to them by the General Assembly, session 1844 and '45,	1,097 19
" "	To warrants to Lewis & Tunison, in full, for an appropriation made to them by the General Assembly, session 1844 and '45,	19 00
" "	To warrants to Miles Beach & Co., in full, for an appropriation made to them by the General Assembly, session 1844 and '45,	17 50
" 6	To warrants to T. Evans, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	3 00
" "	To warrants to S. S. Ball, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	3 50
" "	To warrants to E. B. Pease & Bro., in full, for an appropriation made to them by the General Assembly, session 1844 and '45,	18 69

Special Appropriations—Continued.

Date.	To whom paid, and for what.	Amount.
1845. March 6	To warrants to H. E. Roberts, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	\$43 78
" "	To warrants to John Von Horn, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	100 00
" "	To warrants to J. Bunn, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	19 87
" "	To warrants to P. C. Ferguson, in full, for bringing the presidential returns from Christian county,	2 80
" "	To warrants to S. C. Runyon, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	67 58
" "	To warrants to H. Wood and F. L. Stewart, in full, for an appropriation made to them by the General Assembly, session 1844 and '45,	45 80
" "	To warrants to W. A. Hacker, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	3 00
" "	To warrants to John A. Clark, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	184 00
" 7	To warrants to J. Williams, in part, for an appropriation made Governor Ford and his staff by the General Assembly, session 1844 and '45,	12 00
" "	To warrants to Nelson & Robertson, in full, for an appropriation made to them by the General Assembly, session 1844 and '45,	22 89
" "	To warrants to Thompson Campbell, in part, for an appropriation made Governor Ford and his staff by the General Assembly, 1844 and '45,	67 33
" 8	To warrants to Jewett & Hitchcock, in full, for an appropriation made to them by the General Assembly, session 1844 and '45,	21 78
" "	To warrants to E. H. Merryman, in part, for an appropriation made Governor Ford and his staff by the General Assembly, session 1844 and '45,	67 33
" "	To warrants to Garrett M. Blue, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	25 00
" 10	To warrants to Jones, Bacon & Co., in full, for an appropriation made to them by the General Assembly, session 1844 and '45,	95 98
" "	To warrants to James Holland, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	5 00
" "	To warrants to Samuel Conner, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	35 00
" "	To warrants to T. Morrison and H. T. Wilson, in full, for an appropriation made to them by the General Assembly, session 1844 and '45,	115 00
" "	To warrants to F. A. Worrel, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	21 30
" 11	To warrants to H. E. Roberts, in part, for an appropriation made to Governor Ford and his staff by the General Assembly, session 1844 and '45,	45 50
" "	To warrants to George G. Grubb, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	3 30

Special Appropriations—Continued.

Date.	To whom paid, and for what.	Amount.
1845.		
March 12	To warrants to George Power, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	\$5 00
" 14	To warrants to C. L. Grafflin & Co., in full, for an appropriation made to them by the General Assembly, session 1844 and '45,	55 23
" "	To warrants to J. D. Morgan, as paymaster, in full, for an appropriation made the Illinois Volunteers, by the General Assembly, session 1844 and '45,	538 26
" "	To warrants to J. D. Morgan, in full, for an appropriation made him by the General Assembly, session 1844 and '45 -	20 00
" 15	To warrants to J. McFall and R. Thompson, in full, for an appropriation made them by the General Assembly, session 1844 and '45,	18 20
" "	To warrants to D. M. Repsher, in full, for an appropriation made him by the General Assembly, session 1844 and '45, -	10 00
" 17	To warrants to Thomas Conner, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	63 30
" "	To warrants to Patrick Allen, in full, for an appropriation made to him by the General Assembly, session 1844 and '45,	63 30
" "	To warrants to Archibald Job, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	10 00
" 18	To warrants to D. Elliott, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	5 00
" "	To warrants to Joseph Caswell, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	100 00
" 24	To warrants to M. Brayman, in full, for an appropriation made for copying Revised Statutes, &c., by the General Assembly, session 1844 and '45,	200 00
" 25	To warrants to J. B. Seely, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	18 75
" 26	To warrants to John McKown, in full, for an appropriation made him by the General Assembly, session 1844 and '45, -	14 00
" "	To warrants to M. Blair, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	12 50
" "	To warrants to R. B. Lord, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	14 10
" "	To warrants to James E. Dunn, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	149 13
" 27	To warrants to F. Muha, in full, for office rent for the board of investigation of Jackson county,	12 75
" "	To warrants to Daniel H. Brush, in full, as secretary of the board of investigation of Jackson county,	15 00
" 29	To warrants to M. Stokes, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	3 00
" 31	To warrants to George Walker, in full, for bringing the returns of the presidential election from La Salle, Du Page, Grundy, Cook, Lake and Will counties,	268 00
" "	To warrants to J. S. Rodgers, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	3 75
April 1	To warrants to Bassett and Taylor, in full, for an appropriation made them by the Legislature, session 1844 and '45,	1 50
" 5	To warrants to Thomas H. Campbell, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	56 00
" 8	To warrants to James Curtis, in full, for an appropriation made him by the General Assembly, session 1844 and '45,	40 00

Special Appropriations—Continued.

Date.		To whom paid, and for what.	Amount.
1845.			
April	8	To warrants to Wallace and Diller, in full, for an appropriation made them by the General Assembly, session 1844 and '45, - - - - -	\$ 2 50
"	"	To warrants to A. T. Bledsoe, in part, for an appropriation made Governor Ford and his staff, by the General Assembly, session 1844 and '45, - - - - -	67 33
"	21	To warrants to D. Clendennan, in full, for an appropriation made the estate of C. Tull, by the General Assembly, session 1844 and '45, - - - - -	108 40
"	23	To warrants to G. S. Myers, in full, for an appropriation made him and others, by the General Assembly, session 1844 and '45, - - - - -	35 00
May	14	To warrants to J. M. Morse, in part, of appropriation made him for copying records, and by the General Assembly, session 1844 and '45, - - - - -	80 00
"	15	To warrants to V. Hickox, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - - - - -	20 00
"	"	To warrants to M. Brayman, as agent, in part, for an appropriation made for paper, to print Revised Statutes upon, by the General Assembly, session 1844 and '45, - - - - -	3,200 00
"	19	To warrants to Josh. Bean, in full, for an appropriation made him as witness before the General Assembly, session 1844 and '45, - - - - -	30 00
"	23	To warrants to Z. N. Garbutt, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - - - - -	9 38
"	"	To warrants to T. Worthington, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - - - - -	17 50
"	31	To warrants to F. Springer, in full, for an appropriation made him for a thermometer, by the General Assembly, session 1844 and '45, - - - - -	2 50
June	3	To warrants to Charles Hay, in full, for an appropriation made him by the General Assembly, session 1844 and '45, - - - - -	15 00
"	13	To warrants to M. Brayman, as agent, in part, for an appropriation made for paper to print Revised Statutes upon, by the General Assembly, session 1844 and '45, - - - - -	2,808 37
"	14	To warrants to Samuel R. Harrison, as a member of the board of investigation, for the restoration of the records of Franklin county, - - - - -	35 75
"	"	To warrants to W. S. Aiken, as a member of the board of investigation for the restoration of the records of Franklin co., - - - - -	38 85
"	"	To warrants to Samuel K. Casey, as a member of the board of investigation for the restoration of the records of Franklin county, - - - - -	34 75
"	"	To warrants to S. M. Hubbard, as secretary of the board of investigation for the restoration of the records of Franklin county, - - - - -	35 19
"	"	To warrants to W. R. Browning, in full, for qualifying the members of the board of investigation for the restoration of the records of Franklin county, - - - - -	3 25
"	"	To warrants to Johnson and Bradford, in full, for books furnished for the board for the restoration of the records of Franklin county, - - - - -	51 00
"	"	To warrants to John S. Roberts, in full, for publishing the meetings of the board for the restoration of the records of Franklin county, - - - - -	10 00
"	18	To warrants to Thompson Campbell, in full, for the subscription of Silliman's Journal of Science, - - - - -	37 05
"	19	To warrants to N. W. Manville, in full, as a witness before the board of investigation of Jackson county, - - - - -	5 00

Special Appropriations—Continued.

Date.		To whom paid, and for what.	Amount.
1845.			
June	19	To warrants to S. G. Cheatham, in full, for an appropriation made by the General Assembly, session 1844 and '45, -	\$18 00
"	23	To warrants to Aq. Norris, in full, for an appropriation made to the widow and heirs of Jno. Norris for six months ending 30th April, 1845, -	25 00
July	2	To warrants to M. R. Deming, in full, for an appropriation made him by the General Assembly, session 1844 and '45, -	319 20
"	18	To warrants to N. Buckmaster, in full, for an appropriation made him by the General Assembly, session 1844 and '45, -	2,582 00
Sept'ber	30	To warrants to Thos. Whitson, in full, for services rendered the board of investigation of Jackson county, -	2 75
October	7	To warrants to Nathan Stevenson, in full, for an appropriation made him and the company under his command in the Mormon war by the General Assembly, session 1844, and '45, -	165 00
"	13	To warrants to L. R. Harrison, in full, as a member of the board of investigation of Franklin county, -	45 50
"	"	To warrants to Walter S. Aiken, in full as a member of the board of investigation of Franklin county, -	43 75
"	"	To warrants to Samuel K. Casey, in full, as a member of the board of investigation of Franklin county, -	35 00
"	"	To warrants to W. R. Browning, in full, as secretary of the board of investigation of Franklin county, -	17 50
November	1	To warrants to W. B. Warren, in full, for an appropriation made him by the General Assembly, session 1844 and '45, -	20 00
"	12	To warrants to Jno. Duckers, in full for an appropriation made him by the General Assembly, session 1844 and '45, -	3 75
"	"	To warrants to Otis, Broaders & Co., in full, for the North American Review, furnished for the use of the secretary of State's office, -	23 00
December	2	To warrants to S. M. Hubbard, in full, as secretary of board of investigation of Franklin county, -	24 50
"	"	To warrants to J. M. Morse, in part, for an appropriation made him by the General Assembly, session 1844 and '45, -	178 00
"	31	To warrants to S. K. Casey, in full as a member of the board of investigation of Franklin county, -	15 75
"	"	To warrants to S. R. Harrison, in full, as a member of the board of investigation of Franklin county, -	33 25
"	"	To warrants to W. S. Aiken, in full, as member of the board of investigation of Franklin county, -	33 25
"	"	To warrants to W. R. Browning, in full, as secretary of the board of investigation of Franklin county, -	33 25
"	"	To warrants to Wm. Walters, in full, for publishing the notice of the meeting of the board of investigation of Franklin county, -	10 00
1846.			
January	2	To warrants to Condell & Jones, in full, for an appropriation made them by the General Assembly, session 1844 and '45, -	4 48
"	3	To warrants to Aq. Norris, in part, for an appropriation made the widow and heirs of John Norris, deceased, by the General Assembly, session 1844 and '45, -	25 00
"	9	To warrants to M. Brayman, in full, as agent, for paper furnished for printing the Revised Statutes upon, by the General Assembly, session 1844 and '45, -	375 21
"	29	To warrants to Barbee, Yands & Co., in part, for their bill of paper furnished for the use of the State, as per contract on file in the secretary's office, -	250 00

Special Appropriations—Continued.

Date.	To whom paid, and for what.	Amount.
1846. March 9.	To warrants to J. M. Morse, in part, for an appropriation made him for making territorial and other records, -	\$40 00
April 29	To warrants to Barbee, Yands & Co., in full, for 20 reams cap paper, furnished for the use of the State, as per contract on file in the secretary's office, - - -	
June 3	To warrant to J. Hughes, in full, for the subscription of Nile's Register up to September, 1846, for the State library,	70 00
" 16	To warrants to Aq. Norris, in part, for the appropriation made the widow and heirs of John Norris, deceased, by the General Assembly, session 1844 and 1845, - -	25 00
July 30	To warrants to Otis, Broaders & Co., in full, for one year's subscription to the North American Review, ending July 1, 1846, for the State library, - - -	25 00
October 10	To warrants to R. R. Taylor and C. Kennedy, in full, for their attendance before the board of investigation of Jackson county, - - - - -	5 00
		1 00
		\$33,020 79

A STATEMENT of the amount of warrants drawn upon the treasurer, on the account of incidental expenses, from December first, 1844, to December first, 1846.

Date.	To whom paid and for what.	Amount.
1844.		
Decemb'r 13	To warrants to J. Y. Scammon, in full, for 317 copies 4th vol. Scammon's reports, - - -	\$1,585 00
" 20	To warrants to Walters and Weber, in part, for printing done for public offices, - - -	220 37
" 26	To warrants to J. B. F. Russell, in full, for making list of State lands, located in the Chicago land district, in 1844, - - -	32 15
" 27	To warrants to John Early, in part, for cutting wood for the use of the State house, - - -	14 50
" 30	To warrants to John Trefts, in full, for draying wood from the railroad to the State house, - - -	1 75
" "	To warrants to George Meyer, in full, for draying wood from the railroad to the State house, - - -	1 88
" 31	To warrants to Michael M'Namara, in part, for his services as porter of the State house, - - -	49 75
1845.		
January 3	To warrants to Hiram Wood, in full, for furniture furnished for the use of the supreme court room, - - -	17 12
" 4	To warrants to Ellis and Fergus, in full, for advertising for public binding, - - -	4 00
" 6	To warrants to Stephen Duncan, in full, for furniture furnished for the use of the supreme court room, - - -	8 50
" 7	To warrants to James A. McDougall, in full, for amount of postage on official correspondence, paid by him in 1844, - - -	19 38
" 8	To warrants to M. Meyer, in full, for hauling wood for the use of the State, - - -	1 12
" 10	To warrants to Talbot and McKeichnie, in full, for repairing pump, &c. for the use of the State house, - - -	3 12
" "	To warrants to John Early, in part, for cutting wood for the use of the State house, - - -	15 00
" 16	To warrants to J. Y. Scammon, in full, for nine copies of Scammon's reports for the use of the secretary's office, - - -	45 00
" "	To warrants to Bealls and Green, in full, for advertising in the Boston Post proposals for paper, - - -	3 00
" 17	To warrants to P. G. Pierce, in full, for wood furnished for the use of the State house, - - -	29 00
" 22	To warrants to S. F. Gale, in full, for furniture furnished for use of the supreme court room, - - -	27 00
" "	To warrants to James H. Spotswood, in full, for postage on public documents and letters for the State officers, for the quarter ending January 15, 1845, - - -	230 30
" 25	To warrants to George Meyer, in full, for hauling nine loads of wood for the use of the State house, - - -	1 13
" "	To warrants to M. Meyer, in full, for hauling eight loads of wood, for the use of the State house, - - -	1 00
" "	To warrants to Walters and Weber, in full, for printing blanks for the officers of State, - - -	170 76
" 31	To warrants to John Early, in part, for sawing wood for the use of the State, - - -	20 25
February 3	To warrants to John Trefts, in full, for hauling fourteen loads of wood for the use of the State, - - -	1 75
" 10	To warrants to J. Bunn, in full, for candles furnished for the use of the secretary's office, - - -	16 87
" "	To warrants to J. Bunn, in full, for candles furnished for the use of the auditor's office, - - -	15 21
" 11	To warrants to J. L. Lamb, in full, for wood, freight, &c. furnished for the use of the State, - - -	50 75
" 17	To warrants to John Early, in part, for cutting wood for the use of the State house, - - -	13 37

Incidental Expenses—Continued.

Date.	To whom paid, and for what.	Amount.
1845.		
February 24	To warrants to John Early, in part, for cutting wood for the use of the State house, - - -	\$ 24 50
March 5	To warrants to Johnson and Bradford, in full, for stationery furnished for the use of the State officers, - -	246 69
" 8	To warrants to John Cradock, in full, for making a canceling hammer, for the treasurer's office, - - -	8 00
" 11	To warrants to Walters and Weber, in full, for printing done for State offices, up to this date, as per bill on file, -	128 25
" 12	To warrants to J. Bunn, in full, for furniture furnished for the use of the supreme court room, - - -	32 75
" "	To warrants to Johnson and Bradford, in full, for furniture furnished for the use of the supreme court room, - -	75 56
" 13	To warrants to Hiram Wood, in full, for furniture furnished for the use of the supreme court room, - - -	4 25
" 18	To warrants to N. Hay, in full, for furniture furnished for the use of the supreme court room, - - -	50
" 19	To warrants to B. C. Webster and Co., in full, for stationery furnished for the use of the secretary's office, - -	6 00
" 20	To warrants to M. Doyle, in full, for candles furnished for the use of the auditor's office, - - -	35 97
" 28	To warrants to Ives and Curran, in full, for work done for the secretary's office, - - -	7 00
" 31	To warrants to J. S. Rodgers, in full, for work done for the secretary's office, - - -	9 67
" "	To warrants to W. S. Moore, in full, for sheet iron, &c., furnished for the use of the secretary's office, - -	3 00
April 8	To warrants to Wallace and Diller, in full, for stationery furnished for the use of the secretary's office, - -	1 13
" 12	To warrants to Thomas P. Lorschbough, in full, for work done for public offices, - - -	2 00
" "	To warrants to H. F. Ash, in full, for taking the abstract of lands entered in the Springfield land office, - -	22 05
" "	To warrants to R. F. Richardson, in full, for taking the abstract of lands entered in the Kaskaskia land office, - -	43 11
" 14	To warrants to John Cradock, in full, for work done for the secretary's office, - - -	7 00
" "	To warrants to W. L. D. Ewing, in part, for taking the abstract of lands entered at the Chicago land office, - -	320 00
" 15	To warrants to E. Peck, in full, for furniture furnished for the use of the supreme court, - - -	1 00
May 2	To warrants to Walters and Weber, in full, for printing done for the auditor's and treasurer's offices, - -	19 37
" "	To warrants to Walters and Weber, in full, for printing the school, revenue and other laws, in the Register, &c., -	308 00
" 9	To warrants to W. L. D. Ewing, in full, for taking the abstract of lands entered at the Quincy and Dixon land offices, -	77 55
" "	To warrants to Thomas J. Burns, in full, for repairing lightning rod on the State house, - - -	20 00
" 10	To warrants to Owen Sturtevant, in full, for repairing doors in the State house, - - -	1 00
" 13	To warrants to W. L. D. Ewing, in full, for taking abstract of lands in the Chicago land office, - - -	131 98
" 22	To warrants to S. M. Tinsley and Co., in full, for furniture furnished for the use of the supreme court, - -	4 76
" 24	To warrants to D. E. Ruckle, in full, for repairing the State house pump, - - -	2 00
" "	To warrants to Samuel Chamblin, in full, for glazing windows in the State house, - - -	1 75

Incidental Expenses—Continued.

Date.		To whom paid, and for what.	Amount.
1845.			
May	31	To warrants to Hickox Brothers, in full, for lumber for shelving in the State library, - - -	\$ 10 16
June	7	To warrants to John Cradock, in full, for making two keys and altering locks for the State house, - - -	4 00
"	"	To warrants to John Cradock, in full, for making two keys for the auditor's office, - - -	2 25
"	9	To warrants to John H. Sconce, in part, for taking abstract of lands entered at the Danville land office, - - -	4 27
"	"	To warrants to H. F. Ash, in full, for completing the abstract of lands entered at the Danville land office, - - -	8 54
"	12	To warrants to S. H. Hicks, in full, for taking the abstract of lands entered at the Shawneetown land office, - - -	29 61
"	18	To warrants to Thompson Campbell, in full, for stationery furnished for the use of the public offices, - - -	223 91
"	25	To warrants to John Uhler, in full, for lumber furnished for the use of the State, - - -	1 64
"	30	To warrants to J. T. Betts, in full, for lumber furnished for the use of the State, - - -	3 00
July	11	To warrants to T. J. Burns, in full, for work done in the library room of the State house, - - -	35 00
"	"	To warrants to T. J. Burns, in full, for work done in the secretary's office, - - -	2 00
"	18	To warrants to T. J. Burns, in full, for work done in the secretary's office, - - -	2 50
"	23	To warrants to Johnson and Bradford, in full, for stationery furnished for the use of the secretary's office, - - -	58 38
"	"	To warrants to Johnson and Bradford, in full, for stationery furnished for the use of the auditor's office, - - -	47 10
"	26	To warrants to Walters and Weber, in full, for printing done for public offices, - - -	100 50
"	31	To warrants to M. Doyle, in full, for candles furnished for the use of the auditor's office, - - -	20 25
August	11	To warrants to J. R. Diller, in full, for postage on letters and public documents for State offices, - - -	202 42
"	16	To warrants to Lesure and Bliss, in full, for freight on stationery from St. Louis, for secretary's office, - - -	2 20
Sept.	6	To warrants to Ellis and Fergus, in full, for publishing notice for letting the binding, stitching and folding laws, &c., - - -	3 71
October	1	To warrants to Walters and Weber, in full, for printing done for the public offices, - - -	321 50
"	21	To warrants to J. R. Diller, in full, for postage on public documents for auditor's office, up to July 1, 1845, - - -	208 85
"	"	To warrants to J. R. Diller, in full, for postage on public documents for the Governor, treasurer's and secretary of State's offices, up to July 1, 1845, - - -	215 19
"	24	To warrants to S. Francis and Co., in full, for publishing notice that Scammon's reports were ready for delivery, and delinquent lists should be compared, - - -	4 00
November	4	To warrants to J. R. Diller, in full, for postage on public documents for adjutant general's office, for quarter ending September 30, 1845, - - -	10 50
"	5	To warrants to J. R. Diller, in full, for postage on public documents for State offices, for quarter ending September 30, 1845, - - -	129 27
"	14	To warrants to M. Doyle, in full, for candles furnished for the use of the auditor's office, - - -	19 13
"	24	To warrants to Samuel Chamblin, in full, for work done for the secretary's office, - - -	1 40
"	26	To warrants to B. C. Webster, in full, for stationery furnished for the use of the auditor's office, - - -	2 00

Incidental Expenses—Continued.

Date.	To whom paid, and for what.	Amount.
1845. December 15	To warrants to Johnson and Bradford, in full, for stationery furnished for the use of the public offices, - -	\$ 72 36
1846. Jan. 2	To warrants to Condell and Jones, in full, for stationery furnished for the use of the secretary's office, - -	6 00
" "	To warrants to Wallace and Diller, in full, for stationery furnished for the use of the secretary's office, - -	1 50
" 7	To warrants to C. C. Phelps, in full, for furniture furnished for the use of the supreme court room, - -	14 00
" 8	To warrants to M. Brayman, in full, for stationery furnished for the use of the secretary's office, - -	21 00
" 12	To warrants to Thomas H. Campbell, for J. Judy, in part, for taking and correcting transcript of lands entered at the Edwardsville land office, - -	251 28
" 14	To warrants to Lansing B. Mizener, in full, for taking abstract of lands entered at the Vandalia land office, - -	40 38
" 23	To warrants to Ives and Curran, in full, for furniture furnished for the use of the supreme court room, - -	50 25
" 27	To warrants to McKeichnie and Talbot, in full, for work done for the secretary's office, - -	3 25
" 30	To warrants to Walters and Weber, in full, for printing done for public offices, for the quarter ending December 31, 1845, - -	151 63
Feb. 2	To warrants to Ives and Curran, in full, for stationery furnished for the use of the State, - -	6 00
" 4	To warrants to J. Bunn, in full, for stationery furnished for the use of the secretary's office, - -	30 71
" 11	To warrants to James T. Ewing, in full, for taking abstract of lands entered at the Palestine land office, - -	48 00
" 16	To warrants to W. L. D. Ewing, in full, for taking abstract of lands entered at the Chicago land office, for 1841, '42, '43, and '44, - -	156 68
" 18	To warrants to H. Crittenden, in full, for stationery furnished for the use of the State, - -	101 30
" 21	To warrants to Johnson and Bradford, in full, for stationery furnished for the use of the supreme court, - -	130 43
" 24	To warrants to J. Bunn, in full, for stationery furnished for the use of the supreme court, - -	82 42
March 5	To warrants to D. and I. P. Spear, in full, for furniture furnished for the use of the supreme court, - -	10 63
" 12	To warrants to Hamilton and Parry, in full, for advertising proposals for paper in the Pennsylvanian, - -	2 00
" 17	To warrants to William G. Flood, in full, for taking abstract of lands entered at the Quincy land office, - -	5 31
" 21	To warrants to M. Carpenter, in full, for press and seal for the treasurer's office, - -	26 50
" 24	To warrants to Hiram Wood, in full, for furniture furnished for the use of the supreme court, - -	1 50
" "	To warrants to J. R. Diller, in full, for postage on public documents and letters for the quarter ending December 31, 1845, - -	115 83
" 31	To warrants to J. Freeman, in full, for making the abstract of lands entered at the Kaskaskia land office, - -	6 42
" "	To warrants to M. Carpenter, in full, for thirteen cords wood furnished for the use of the State, - -	32 50
" "	To warrants to John Early, in full, for sawing wood for the use of the State house, - -	6 50
April 1	To warrants to Thomas H. Campbell, in part, for taking the abstract of lands entered at the Edwardsville land office, - -	37 29
" 2	To warrants to William Dermady, in full, for stationery furnished for the use of the secretary's office, - -	62

Incidental Expenses—Continued.

Date.		To whom paid, and for what.	Amount.
1846.			
April	3	To warrants to William Walters, in full, for printing done for public offices, for the quarter ending March 31, 1846, -	\$247 50
"	4	To warrants to Frederick Meyer, in full, for furniture furnished for the use of the auditor's office, - - -	3 50
"	8	To warrants to Robert S. Eaton, in full, for freight on stationery for the use of the State, - - -	3 15
"	9	To warrants to B. C. Webster & Co., in full, for furniture furnished for the use of the supreme court, - - -	24 80
"	11	To warrants to William E. Russell, in full, for taking abstract of lands entered at the Danville land office, - - -	5 70
"	13	To warrants to James L. Lamb, in full, for furniture furnished for the use of the supreme court, - - -	2 00
"	16	To warrants to S. Conant, in full, for furniture furnished for the use of the auditor's office, - - -	2 00
"	17	To warrants to H. E. Roberts, in full, for furniture furnished for the use of the secretary's office, - - -	4 81
"	30	To warrants to J. R. Diller, in full, for postage on public documents for State offices, for quarter ending March 31, 1846, -	147 10
May	7	To warrants to M. Doyle, in full, for candles furnished for the use of the auditor's and secretary's offices, - - -	29 74
"	14	To warrants to Hiram Wood, in full, for repairing State house pump, - - -	6 50
June	23	To warrants to Johnson & Bradford, in full, for stationery furnished for the use of the auditor's office, - - -	48 78
"	"	To warrants to Johnson & Bradford, in full, for stationery furnished for the use of the treasurer's office, - - -	5 75
"	24	To warrants to John W. Priest, in full, for work done on the State house, - - -	11 04
"	27	To warrants to William Walters, in full, for printing done for the public offices, for the quarter ending June 30, 1846, -	123 12
July	6	To warrants to Johnson & Bradford, in full, for stationery furnished for the use of the secretary's office, - - -	39 36
"	30	To warrants to H. E. Roberts, in full, for work done by him in the secretary's office, - - -	10 00
"	30	To warrants to George W. Mixter, in full, for plats of State lands furnished by him for the use of the auditor's office, -	20 00
"	30	To warrants to R. W. Diller, in full, for taking the abstract of lands entered at the Dixon land office in 1845, and arranging the Shawneetown abstract, - - -	115 82
August	8	To warrants to J. A. Hough, in full, for repairing furniture for the auditor's and secretary's offices, - - -	6 50
"	8	To warrants to John Cradock, in full, for repairing screw and seal of auditor's office, - - -	7 00
"	24	To warrants to R. W. Diller, in full, for arranging the Danville, Quincy and relinquished land lists, 2,888 tracts, -	28 88
"	26	To warrants to Charles Gilman, in full, for 457 copies, vol. 1, Gilman's reports of supreme court, - - -	2,285 00
"	29	To warrants to B. C. Webster & Co., in full, for stationery furnished for the use of the secretary's office, - - -	7 70
"	31	To warrants to Charles H. Lanphier, in full, for printing done for the use of the secretary's office, - - -	26 25
September	1	To warrants to H. Crittenden, in full, for stationery furnished for the use of the secretary's office, - - -	23 38
"	4	To warrants to Charles H. Lanphier, in full, for printing done for the use of the secretary's office, - - -	27 75
"	18	To warrants to S. Chamblin, in full, for work done by him for the use of the secretary's office, - - -	50
"	19	To warrants to Charles H. Lanphier, in full, for printing done for the use of the secretary's office and department of State, -	18 25

Incidental Expenses—Continued.

Date.		To whom paid, and for what.	Amount.
1846.			
October	5	To warrants to J. R. Diller, in full, for postage on public documents for quarters ending June and September, 1846, -	\$322 36
"	9	To warrants to John Cradock, in full, for repairing safe in the treasurer's office, -	75
"	12	To warrants to John Trefts, in full, for hauling lumber for the use of the secretary's office, -	1 00
"	14	To warrants to John Spade, in part, for refitting Representatives' hall and Senate chamber, -	25 00
"	19	To warrants to S. Chamblin, in full, for glazing windows in the secretary's office, -	5 74
"	20	To warrants to N. P. Tinsley & Co., in full, for freight on two boxes of stationery for the use of the secretary's office, -	14 70
"	23	To warrants to John Wentworth, in full, for publishing proposals for binding the laws and journals, -	3 00
"	"	To warrants to J. Bunn, in full, for furniture furnished for the use of the State, -	3 72
"	24	To warrants to Valentine Claywell, in full, for 24½ cords of wood furnished for the use of the State, -	60 62
"	30	To warrants to Meyer & Council, in full, for work done for the secretary's office, -	1 00
"	"	To warrants to Johnson & Bradford, in full, for stationery furnished for the use of the State, -	74 20
"	31	To warrants to William W. Miller, in full, for 5½ cords of wood furnished for the use of the State, -	13 12
November	2	To warrants to James H. Short, in full, for 16 1-5 cords of wood, furnished for the use of the State, -	40 50
"	4	To warrants to Ives & Curran, in full, for stove and stationery furnished for the use of the State and secretary's office, -	17 60
"	"	To warrants to J. Dooley, in full, for 14 cords of wood furnished for the use of the State, -	35 00
"	23	To warrants to Thomas Marr, in full, for white-washing and cleaning the basement story of the State house, -	10 00
"	"	To warrants to James Enix, in full, for 22½ cords of wood furnished for the use of the State, -	55 62
"	24	To warrants to George Spade, in part, for repairing furniture in the State house, -	55 00
"	27	To warrants to John Early, in part, for sawing wood for the use of the State, -	16 37
"	"	To warrants to Thomas Shepherd, in full, for 30¼ cords of wood furnished for the use of the State, -	78 12
"	"	To warrants to Hiram Wood, in full, for making counter for the treasurer's office, -	22 00
"	28	To warrants to George R. Weber, in full, for printing blanks, handbills, &c., for the use of the secretary's office, -	325 25
"	"	To warrants to M. Carpenter, in full, for 24 cords of wood furnished for the use of the State, -	60 00
"	"	To warrants to John Early, in part, for sawing wood for the use of the State, -	26 00
			<u>\$11,805 02</u>

A STATEMENT of the amount of warrants drawn upon the treasurer on account of the militia, from December first, 1844, to December first, 1846.

Date.	To whom paid, and for what.										Amount.	
1844.												
Dec. 28	To warrants to M. K. Anderson, as adjutant general, for quarters ending September and December, 1844,										\$50 00	
	"	same	"	March, June and September, 1844,							75	
1846.												
January 6	"	same	"	December, 1845,	-	-	-				100 00	
April 11	"	same	"	March, 1846,	-	-	-				25 00	
July 2 & 24	"	same	"	June, 1846,	-	-	-				65 00	
October 5	"	same	"	September, 1846,	-	-	-				100 00	
1846.												
January 12	"	to E. C. Berry, as adjutant general, during the late Sac and Fox war,										100 0
1844.												
December 6	"	C. M. Dolson, as inspector 4th brigade, 5th division of Illinois militia, for 1844,										60 00
"	"	H. Miller,	"	2d	"	4th	"	"			40 00	
1845.												
January 2	"	W. B. Warren,	"	3d	"	3d	"	"			130 00	
"	"	W. Headen,	"	5th	"	4th	"	"			80 00	
" 11	"	John A. Campbell,	"	1st	"	2d	"	1842,			140 00	
February 5	"	same	"	1st	"	2d	"	'43--'44,			280 00	
April 7	"	Willis Allen,	"	1st	"	3d	"	1844,			100 00	
Septemb'r 20	"	W. S. Wier,	"	3d	"	5th	"	1845			80 00	
October 21	"	H. Miller,	"	3d	"	5th	"	"			40 00	
November 1	"	W. B. Warren,	"	3d	"	3d	"	"			130 00	
Decemb'r 19	"	Jno. Williams,	"	4th	"	1st	"	"			130 00	
" 30	"	Wm. Headen,	"	5th	"	4th	"	"			80 00	
1845.												
January 9	"	D. H. Redfield, inspector 4 battalions, 1st Cohort Nauvoo Legion, 1844,										40 00
" 28	"	Jno. C. Bennett,	"	8	"	"	"	"			80 00	
											319 25 00	

A STATEMENT of the amount of warrants drawn upon the treasurer on account of the General Assembly, from December, 1, 1844, to December, 1, 1846.

Date.	To whom paid, and for what.	Amount.
1844. December	To warrants for amount of partial appropriation to members and officers of the General Assembly, session 1844—'45,	\$17,300 00
1845. February	To warrants do do do do	16,950 00
January 18	To warrants to I. S. Berry, in part, for services as a member of the General Assembly, session 1844—'45, - -	100 00
" 25	To warrants to M. L. Covell, in part, for his services as Secretary of the Senate, session 1844—'45, - -	20 00
" 29	To warrants to A. O'Conner, in part, for his services as a member of the General Assembly, session 1844—'45, -	100 00
" "	To warrants to George Powers, do do do	30 00
" 31	To warrants to T. Campbell, in part, for stationery furnished for the use of the General Assembly, session 1844—'45,	209 02
March 3	To warrants for appropriations, in full, to members and officers of the General Assembly, session 1844—'45, - -	20,649 10
" 5	To warrants to John McDonald, in full, for completing the journals of the House of Representatives, session 1844—'45,	20 00
" "	To warrants to N. Cloud, do do do	20 00
" "	To warrants to M. Carpenter, in full, for wood furnished for the use of the General Assembly, - - -	150 38
" 7	To warrants to W. W. Happy, in full, as copyist of the House of Representatives, for finishing the journal of the House of Representatives, session 1844—'45, - -	12 50
April 22	To warrants to T. Campbell, for stationery furnished for the General Assembly, session 1844—'45, - - -	95 00
		<hr/> \$55,665 00

A STATEMENT of the amount of warrants drawn upon the treasurer on the account of money refunded from December first, 1844, to December first, 1846.

To whom paid, and for what.	Amount.
To warrants to sheriffs and collectors on account of State revenue overpaid by them - - -	\$1,575 26
To warrants to clerks of county commissioners' courts for amount of State revenue overpaid by them on account of lands sold and redeemed, -	67 58
To warrants issued for the amount of State revenue overpaid by different individuals on account of lands sold and assessed in error, - - -	893 21
	<hr/> \$2,536 15

A STATEMENT of the amount of warrants drawn upon the treasurer on account of fugitives from justice from December 1, 1844, to December 1, 1846.

Date.	To whom paid, and for what.	Amount.
1842.		
December 3	To warrants to Phillip Hubbard, for his services going to the State of Tennessee to demand a fugitive, - - -	\$201 00
" 16	To warrants to Theodore Engelman, for publishing the Governor's proclamation for the apprehension of a fugitive from justice, - - -	5 00
1845.		
January 14	To warrants to J. A. Arenz, for publishing the Governor's proclamation for the apprehension of a fugitive from justice, - - -	7 00
" 15	To warrants to John C. Jacobin, for his services in going to the State of Ohio to demand a fugitive from justice, - - -	55 00
February 11	To warrants to W. H. Carlin, for his services going to the State of Arkansas to demand a fugitive from justice, - - -	317 42
" 24	To warrants to Wilson Lewis, for his services going to the State of Missouri to demand a fugitive from justice, - - -	401 73
June 9	To warrants to D. P. Wilbanks, for his services going to the State of Tennessee to demand a fugitive from justice, - - -	150 00
July 16	To warrants to Samuel Hunt, for the apprehension and delivery of two fugitives for stealing railroad iron, - - -	200 00
August 12	To warrants to James B. Wheeler, for going to the State of Indiana to demand a fugitive from justice, - - -	75 00
Decemb'r 29	To warrants to E. Bonney, for the reward allowed him for the apprehension of John Baxter for the murder of Col. Davenport, - - -	200 00
" "	To warrants to Gregg and Johnson for the reward allowed them for the apprehension of John Baxter and John Long for the murder of Col. Davenport, - - -	200 00
" 30	To warrants to Johnson and Gregg, for the reward allowed them for the apprehension of John Baxter and John Long, the murderers of Col. Davenport, - - -	200 00
" "	To warrants to E. Bonney, for his services and expenses going to Indiana and Ohio to capture and bring to justice the murderers of Col. Davenport, - - -	600 00
1846.		
March 4	To warrants to E. Bonney, for a reward offered for the arrest and delivery of Granville Young for the murder of Col. Davenport, - - -	200 00
" "	To warrants to E. Bonney, for the expenses, &c. in the arrest and delivery of R. H. Burch, Wm. Fox and John Long, the murderers of Col. Davenport, - - -	134 00
August 5	To warrants to Samuel Hunt, for the reward offered for the apprehension and conviction of Crisman, for stealing railroad iron, - - -	50 00
		\$2,996 15

A STATEMENT of the amount of warrants drawn upon the treasurer on account of county tax on lands redeemed, from December 1, 1844, to December 1, 1846.

Date.	To whom paid.*	For what county.	For what years.	Amount.
1845.				
January 15	Levi Wilcox, treasurer,	Marshall county,	- 1843	\$63 71
February 24	Samuel Fraizer, "	Vermilion "	- 1844	24 79
April 28	Wm. McComb, "	Fulton "	1844 and 1845	84 69
June 14	John M. Gillmore, "	Mercer "	" "	34 00
" 19	W. C. Long, "	Clinton "	" "	37 48
" 21	Minott Silliman, "	Stark "	" "	86 10
" 27	N. W. Peddecord, "	Macon "	" "	68 57
July 2	M. S. Morris, "	Menard "	" "	50 34
Septemb'r 17	Jabez Fitch, "	LaSalle "	1843, '44 & '45	234 34
" 22	D. J. Lloyd, "	Rock Island "	" " "	44 24
" 23	Isaac Jessup, "	Will "	To Mar. 3, 1845	71 96
Decemb'r 5	C. Bowman, "	Logan "	1844 and 1845	36 52
" 9	M. Ballou, "	Bureau "	" "	118 38
" 13	S. S. Leet, "	Henderson "	" "	48 62
1846.				
February 9	John Red, "	Calhoun "	" "	66 95
" 14	O. Turner, "	Putnam "	1839 to 1845 inc.	11 57
March 5	E. Ater, "	Piatt "	- 1844	7 75
				\$1,090 31

A STATEMENT of the amount of warrants drawn upon the treasurer, on account of public printing and binding, from December first, 1844, to December first, 1846.

Date.	To whom paid, and for what.	Amount.
1845 & 1846.	To warrants issued to Walters and Weber, in full, for printing the session laws, journals, Revised Statutes, &c., of session 1844 and 1845, - - - - -	\$ 9,101 22
" " 1845.	To warrants to Barbee, Yands & Co., in full, for paper for the laws, journals, &c., of session 1844 and 1845, - - -	1,250 00
June 12	To warrants to S. Francis & Co., in full, for publishing laws in the Sangamon Journal, and furnishing the State with 1,574 copies of the same, - - - - -	179 20
August 23	To warrants to S. S. Brooks, for measuring work and adjusting account of public printing, - - - - -	27 00
" 25	To warrants to W. M. Farnsworth, for measuring work and adjusting account of public printing, - - - - -	27 00
September 1	To warrants to John McDonald, as umpire in measuring work and adjusting account of public printing, - - - - -	24 00
1845 & 1846.	To warrants to Johnson and Bradford, in full, for binding session laws, journals, revised laws, &c., of session 1844 and 1845, - - - - -	\$10,608 42
		3,623 74

A STATEMENT of the amount of warrants drawn upon the treasurer, on the account of the Judiciary, from December 1, 1844, to December 1, 1846.

Date.	Circuit.	To whom paid.	Amount.
1845 and 1846	First, .	To warrants to Samuel A. Lockwood, for his salary as associate justice of the supreme court, for part of September quarter, and in full for December quarter, 1844, - - - - -	\$630 00
	" .	To same, for quarters ending March, June, September and December, 1845, - - - - -	1,500 00
	" .	To same, for quarters ending March, June and September, 1846, - - - - -	1,124 00
			<u>\$3,255 00</u>
1845 and 1846	Second, .	To warrants to James Shields, for his salary as associate justice of the supreme court, for quarters ending September and December, 1844, - - - - -	\$750 00
	" .	To same, for quarters ending March and part of June, 1845, - - - - -	339 04
	" .	To warrants to Gustavus Koerner, for his salary as associate justice of the supreme court, for frac. quarter ending June, and quarters ending September and December, 1845, - - - - -	744 54
	" .	To warrants to same, for quarters ending March, June, September, and part of December, 1846, -- - - - -	753 64
			<u>\$2,587 22</u>
1845 and 1846	Third, .	To warrants to Walter B. Scates, for his salary as associate justice of the supreme court, in part, for quarters ending September and December, 1844, - - - - -	\$626 00
	" .	To same, in full, for quarters ending March, June, September, and part of December quarter, 1845, - - - - -	1,492 00
	" .	To same, in part, for quarters ending March, June and September, 1846, - - - - -	663 00
			<u>\$2,781 00</u>
1845 and 1846	Fourth, .	To warrants to W. Wilson, for his salary as chief justice of the supreme court, in part, for quarter ending December, 1844, - - - - -	\$220 00
	" .	To same, in full, for quarters ending March, June, September and December, 1844, - - - - -	1,500 00
	" .	To same, in full, for quarters ending March, June, September, and in part for quarter ending December, 1846, - - - - -	1,161 59
			<u>\$2,881 59</u>

Statement—Judiciary—Continued.

Date.	Circuit.	To whom paid.	Amount.
1845 and 1846	Fifth, .	To warrants to Jesse B. Thomas, for his salary as associate justice of the supreme court, in full, for quarter ending December, 1844, - - - - -	\$375 00
	" .	To same, in full, for quarters ending March, June, and in part for the quarter ending September, 1845, - - - - -	808 00
	" .	To warrants to Norman H. Purple, for his salary as associate justice of the supreme court, in part, for quarter ending September, and in full for quarter ending December, 1845, - - - - -	397 95
	" .	To same, in full, for quarters ending March, June and September, 1846; - - - - -	750 00
			<u>\$2,330 00</u>
1845 and 1846	Sixth, .	To warrants to Thomas C. Browne, for his salary as associate justice of the supreme court, in full, for quarters ending September and December, 1844, - - - - -	175 00
	" .	To same, for quarters ending March, June, September and December, 1845, - - - - -	1,500 00
	" .	To same, in part, for quarter ending March, 1846, - - - - -	100 00
			<u>\$2,350 00</u>
1845 and 1846	Seventh, .	To warrants to R. M. Young, for his salary as associate justice of the supreme court, in full, for balance of salary due for 1844, - - - - -	\$900 00
	" .	To same, for quarters ending March, June, September and December, 1845, - - - - -	1,500 00
	" .	To same, for quarters ending March, June and part of September, 1846, - - - - -	837 00
	" .	To same, for quarter ending September, 1846, - - - - -	150 00
			<u>\$3,387 00</u>
1845 and 1846	Eighth, .	To warrants to S. H. Treat, for his salary as associate justice of the supreme court, in full, for quarter ending December, 1844, - - - - -	\$375 00
	" .	To same, in full, for quarters ending March, June, September and December, 1845, - - - - -	1,500 00
	" .	To same, in full, for quarters ending March, June, and September, and part of quarter ending December, 1846, - - - - -	1,376 00
			<u>\$3,251 00</u>

Statement—Judiciary—Continued.

Date.	Circuit.	To whom paid.	Amount.
1845 and 1846	Ninth, .	To warrants to John D. Caton, for his salary as associate justice of the supreme court, for quarter ending December, 1844, - - - - -	\$375 00
	" .	To same, for quarters ending March, June, September and December, 1845, - - - - -	1,071 75
	" .	To same for quarters ending March and September, and in part for quarter ending June, 1846, - - - - -	745 81
			<u>\$2,191 56</u>
1845 and 1846	Cook and Jo Daviess	To warrants to Hugh T. Dickey, for his salary as judge of the Cook and Jo Daviess county courts, for fractional quarter ending March, and quarters ending June, September and December 1845, - - - - -	\$720 14
	" .	To same, for quarters ending March, June, and September, - - - - -	637 50
			<u>\$1,357 64</u>
		Total, - - - - -	<u>\$26,372 96</u>

A STATEMENT of the amount of warrants drawn upon the treasurer, on the account of circuit attorneys, from December 1, 1844, to December 1, 1846.

Date.	Circuit.	To whom paid.	Amount.
1845 and 1846	First, .	To warrants to John W. Evans, for his salary as circuit attorney, in full, for December quarter, 1844, and 16th January, 1845, - - -	\$87 50
	" .	To warrants to Clark A. Goodrich, for his salary as circuit attorney, in full, for quarter ending December, 1844, and quarters ending March, June, September and December, 1845, and quarters ending March, June, September, and part of December quarter, 1846, - - -	465 52
			<u>\$553 02</u>
1845 and 1846	Second,	To warrants to W. H. Underwood, for his salary as circuit attorney, in full, for quarter ending December, 1844, and 16th January, 1845, - - -	\$88 33
	" .	To warrants to William H. Bissell, for his salary as circuit attorney, in full, for quarters ending March, June, September and December, 1845, and quarters ending March and June, 1846, - - -	370 85
			<u>\$459 18</u>
1845 and 1846	Third, .	To warrants to Willis Allen, for his salary as circuit attorney, in full, for quarter ending December, 1844, and 16th January, 1845, - - -	\$137 50
	" .	To warrants to W. A. Denning, for his salary as circuit attorney, in full, for quarters ending March, June, September and December, 1845, and quarters ending March, June and September, 1846, - - -	434 18
			<u>\$571 68</u>
1845 and 1846	Fourth,	To warrants to A. Kitchell, for his salary as circuit attorney, in full, for quarters ending September and December, 1844, and 16th January, 1845, - - -	\$163 33
	" .	To warrants to A. Shaw, for his salary as circuit attorney, in full, for quarters ending March, June, September and December, 1845, and quarters ending March and June, 1846, - - -	371 68
	" .	To same, for quarter ending September, 1846, - - -	62 50
			<u>\$597 51</u>

Statement—Circuit Attorneys—Continued.

Date.	Circuit.	To whom paid.	Amount.
1845 and 1846	Fifth, .	To warrants to W. Elliott, jr., for his salary as circuit attorney, in full, for quarter ending December, 1844, and quarters ending March, June, September and December, 1845, and quarters ending March, June and September, 1846, - -	\$521 68
1845 and 1846	Sixth, .	To warrants to J. B. Wells, for his salary as circuit attorney, in full, for balance due in 1843 and 1844, and to 16th June, 1845, - - -	\$283 71
	" .	To warrants to J. L. Loop, for his salary as circuit attorney, in full, for quarter ending December, 1844, and quarters ending March, June, to 7th September, 1845, -	179 86
	" .	To warrants to Thomas J. Turner, for his salary as circuit attorney, in part, for quarter ending in September, and in full, for quarter ending December, 1845, and in full, for quarters ending March and June, and in part, for quarter ending September, 1846, - - -	263 25
			\$726 82
1845 and 1846	Seventh,	To warrants to James Curtis, for his salary as circuit attorney, in full, for quarters ending December, 1844, and 16th January, 1845, - -	\$94 10
	" .	To warrants to William A. Boardman, for his salary as circuit attorney, in full, for quarters ending March, June, September and December, 1845, and quarters ending March, June and September, 1846, -	399 30
			\$493 40
1845 and 1846	Ninth, .	To warrants to B. F. Fridley, for his salary as circuit attorney, in full, for quarters ending June, September and December, 1843, and for the year 1844, and for the year 1845, and quarter ending March, 1846, - - -	\$837 50
	Cook and Jo Daviess,	To warrants to P. Ballingall, for his salary as prosecuting attorney of Cook and Jo Daviess county courts, for quarters ending March, June, September and December, 1845, and quarters ending March, June and September, 1846, - - -	\$319 41
		Total, - - - - -	\$5,080 20

A STATEMENT of the amount of warrants drawn upon the treasurer, on account of the salaries of the Governor, secretary of State, auditor of public accounts, and treasurer, from the first December, 1844, to first December, 1846.

Officers.	For what quarter's salary.	Amount.	Total.
Governor.	Thomas Ford, for quarter ending December, 1844, . . .	\$166 00	\$3817 00
	“ for quarters ending March, June, September and December, 1845, . . .	1978 00	
	“ same, 1846, . . .	1673 00	
Secretary of State.	Thompson Campbell, for quarter ending December, 1844, . . .	83 00	1624 25
	“ for quarters ending March, June, September and December, 1845, . . .	836 25	
	“ same, 1846, . . .	705 00	
Auditor. .	Wm. L. D. Ewing, for quarter ending December, 1844, . . .	157 50	3184 67
	“ for quarters ending March, June, September and December, 1845, . . .	1643 85	
	“ for March quarter, '46, . . .	400 00	
	Tho. H. Campbell, for quarters ending June, September and December, 1846, . . .	983 32	
Treasurer.	M. Carpenter, for quarters ending March, 1843, and December, 1844, . . .	256 53	1826 11
	“ for quarters ending March, June, September and December, 1845, . . .	836 25	
	“ for same, 1846, . . .	733 33	
			\$10,452 03

A comparative statement of the revenue and interest fund tax, for the years 1845 and 1846.

Counties.	Two-mill tax, 1845.	One-mill tax, 1845.	Two-mill tax, 1846.	One-mill tax, 1846.
Adams	\$4994 78	\$2497 39	\$5389 10	\$4,041 82
Alexander,	541 34	280 67		
Bond,	1239 09	619 54	1181 17	885 87
Boone,	817 01	408 51	1070 70	803 02
Brown,	1379 61	689 81		
Bureau,	2275 66	1137 83	2396 64	1797 47
Crawford	1070 88	535 44	1295 21	961 41
Cook	7338 25	3669 12	10142 76	7607 07
Coles	2155 10	1077 54	2139 46	1604 60
Clinton	1415 01	077 51	1389 00	1041 00
Champaign	767 31	383 66	751 36	563 52
Clark	1975 46	987 73	2033 93	1525 44
Clay	598 31	299 16		
Cumberland	541 17	270 59	590 76	443 07
Christian	1017 81	508 90	1013 21	759 90
Cass	2006 51	1003 26		
Carroll	185 02	92 50	269 74	202 30
Calhoun	863 37	431 69		
Du Page	869 35	434 67	964 30	723 22
De Witt	873 52	436 75	896 62	672 46
De Kalb	276 11	138 06	300 66	225 49
Effingham	403 92	201 95	445 53	334 15
Edwards	944 45	472 23	949 01	711 75
Edgar	2563 17	1281 58	2197 10	1947 83
Fulton	4755 17	2377 59	6675 57	3506 68
Franklin	551 24	275 62	532 32	399 24
Fayette	1083 91	541 95		
Grundy	678 16	339 08	745 41	559 06
Greene	2782 21	1391 10	2675 10	2006 33
Gallatin	1931 56	965 77		
Henry	1160 55	580 27		
Henderson	1679 61	839 80	1683 88	1262 90
Hardin	244 75	122 38	256 12	102 09
Hancock	4200 55	2100 28		
Hamilton	405 06	202 53	407 37	305 53
Iroquois	770 85	385 43		
Johnson	421 52	210 76	375 88	281 92
Jo Daviess	3096 17	1548 09	3847 90	2885 91
Jersey	1782 00	891 00		
Jefferson	1126 38	563 19	1297 06	972 80
Jasper	388 31	194 15	426 47	319 85
Jackson	870 37	435 19	818 63	613 97
Knox	3639 17	1819 59	3758 65	2819 00
Kendall	1288 94	644 48	1312 78	984 58
Kane	1009 28	504 64	1278 40	958 79
Logan	1413 68	706 81	1405 62	1054 22
Livingston	300 27	155 14	336 81	252 60
Lee	255 96	157 98	538 75	404 06
Lawrence	1364 91	682 45		
La Salle	3391 73	1695 87	3614 99	2711 25
Lake	547 13	273 56	1030 42	772 91
Morgan	4276 16	2138 08	4307 13	3230 35
Montgomery	1204 77	602 38	1396 25	1047 18
Monroe	1117 23	558 61	1356 10	1017 07
Mercer	1660 32	830 16	1772 17	1329 12
Menard	1391 29	695 64	1389 50	1042 13
Mason	655 82	327 91	716 12	537 09

Comparative Statement—Continued.

Counties.	Two-mill tax, 1845,	One-mill tax. 1845.	Two-mill tax, 1846.	One-mill tax, 1846.
Marshall, - -	\$1604 33	\$802 16	\$1680 49	\$1260 37
Marion, - -	1084 80	542 40	1120 00	840 00
Madison, - -	5953 01	2976 51	6169 76	4627 31
Marquette, - -				
McHenry, - -	1052 24	526 12	1711 26	1283 44
McDonough, - -	2441 89	1220 94	2509 55	1882 16
McLean, - -	2511 04	1255 52		
Macoupin, - -	3356 11	1678 05	3508 07	2631 06
Moultrie, - -	600 84	300 42	590 08	442 56
Macon, - -	771 80	385 90	1125 36	844 01
Massac, - -	445 77	222 89		
Ogle, - -	566 66	283 33	665 00	498 74
Peoria, - -	4205 75	2102 87	4508 04	3381 02
Perry, - -	873 71	436 86		
Piatt, - -	383 47	191 73	431 58	323 68
Pike, - -	4242 59	2121 29	4685 00	3514 00
Pope, - -	501 09	250 55	523 70	392 80
Pulaski, - -	528 57	264 28	530 25	397 68
Putnam, - -	1027 71	513 85	1099 61	824 75
Randolph, - -	2149 90	1074 95		
Richland, - -	626 35	313 17		
Rock Island, - -	1974 51	987 26	1877 47	1408 10
Sangamon, - -	6249 11	3124 56		
Scott, - -	1464 21	732 10	1500 12	1125 09
Schuyler, - -	2069 30	1034 64	2394 26	1795 70
Shelby, - -	1735 40	867 69	1696 09	1272 07
Stark, - -	1132 28	566 13	1183 55	887 66
St. Clair, - -	3956 95	1978 47		
Stephenson, - -	396 41	198 20	500 04	375 02
Tazewell, - -	3272 92	1636 46	3447 37	2585 53
Union, - -	949 48	479 74	979 97	734 98
Vermilion, - -	3356 30	1678 15	3419 48	2564 61
Wabash, - -	1092 64	546 31	1127 70	845 80
Warren, - -	2634 87	1317 44	2188 62	1641 47
Washington, - -	1224 32	612 66	1232 48	924 36
Wayne, - -	860 19	430 09	851 53	638 65
White, - -	1213 60	606 80	1252 08	939 05
Whiteside, - -	429 82	214 91	532 69	399 51
Will, - -	3936 16	1968 08	4095 44	3071 58
Williamson, - -	507 41	253 70	472 33	354 25
Winnebago, - -	1311 94	655 96	1691 00	1268 25
Woodford, - -	1173 81	586 90	1201 84	901 37
	\$163,437 45	\$81,718 72	\$140,278 92	\$105,209 19
The am't of assessment in nineteen counties, for 1846, which have not been reported to this office, about			34,857 00	26,143 00
			\$175,135 92	\$131,352 19

The following statement will show the condition of the school, college, and seminary funds, on the first day of December, 1846.

Amount of school fund, - - - -	\$396,019 76	
“ Surplus revenue, - - - -	335,592 32	
	<hr/>	\$731,612 08
Amount of college fund, - - - -		81,672 59
“ seminary fund, - - - -		56,917 66
		<hr/>
Total amount of school, college and seminary funds,		<u>\$870,202 33</u>

On the first day of January, 1846, the interest on the school, college, and seminary funds amounted to \$51,371 23.

The amount appropriated to the deaf and dumb asylum at Jacksonville, for which warrants were issued upon the treasurer, is \$2,141 66; the remainder of said interest, \$49,229 57, was apportioned to the several counties. The 77th section of the school law, approved 26th February, 1845, requires the auditor to issue warrants upon the treasurer for the amount due to each county, and the 107th section of the revenue law, approved 30th March, 1845, requires him to certify the amount to the collectors.

In the midst of these conflicting laws, certificates were issued as required by the revenue law.

There have been sold for State indebtedness, from the first day of April, 1844, to the first day of December, 1846, of the State lands purchased by the board of commissioners, and selected by agents appointed by the Governor, as follows:

Items.	Acres.	Amount.
Lands charged to the Central railroad, - -	480.00	\$1,920 00
Lands charged to the Alton and Shelbyville, -	2,642.92	6,417 30
Lands charged to the Alton and Shawnee- town, - - - -	160.00	760 00
Lands selected in the Dixon land district, -	7,030.34	37,721 54
Lands selected in the Chicago land district, -	80,356.04	325,222 60
Lands selected in the Danville land district, -	960.00	4,680 00
House and lot in Jonesboro', - - -		3,000 00
Total acres sold, and amount received, - -	91,629.30	\$379,721 44
Pre-emption claims entered, - - -	344.35	
There have been valued and are now subject to sale, of the lands charged to the Central railroad, - - - -	16,633.32	81,273 52
“ “ In Cairo City, - -	10.00	50,000 00
“ “ Alton and Shelbyville, -	8,372.47	20,011 87
“ “ Alton and Shawnee- town, - - -	1,040.00	5,200 00
“ “ Alton and Mount Car- mel, - - -	7,335.29	36,283 37
“ Selected in the Dixon land dis- trict, - - -	70,164.32	415,641 88
“ “ Chicago, - - -	9,380.25	37,334 86
“ “ Danville, - - -	42,303.44	215,555 62
Total acres and valuation, - - -	155,239.09	\$861,301 12

Of the lands charged to the Alton and Shelbyville railroad, 5,547.76 acres have not been valued; also, various town lots and fractional tracts of land.

One thousand nine hundred and twenty acres of land in the Chicago land district were selected in the year 1842, for seminary purposes, and were valued at \$4 00 per acre; 640 acres in the Danville land district, valued at \$5 00 per acre; and in 1838, 640 acres were selected in the Palestine land district, which have not been valued. I am of the opinion that the lands selected in the Chicago and Danville districts would sell at the valuation in State indebtedness, but could not be sold at that price in specie.

The warrants outstanding and unredeemed on the first day of December, 1844, and the warrants issued from the first day of December, 1844, to the 26th day of March, 1846, amounted to - \$279,956 50

The amount of warrants received and cancelled from the first day of December, 1844, to the 26th day of March, 1846, amounted to - 196,692 25

Warrants outstanding and unredeemed on the 26th day of March, 1846, - - - - -	\$83,264 2½
Warrants issued (including \$62,000 interest fund tax,) from the 26th day of March to the 1st day of December, 1846, - - - - -	95,518 94
	<hr/>
	\$178,783 19
Warrants received and cancelled during same time, - - - - -	146,137 58
	<hr/>
Amount of warrants outstanding and unredeemed on the 1st day of December, 1846, - - -	\$32,645 61
	<hr/>
	\$340,000 00
The amount of revenue due for the year 1845, and prior, not yet collected, after deducting for loss, will amount to about	\$40,000 00
Amount of revenue for the years 1846 and '47, after deducting for loss, &c., say - - - - -	340,000 00
Amount of three per cent. fund, including the amount now in the treasury, for the years 1846 and '47, say - - - - -	45,000 00
Thus it will be seen that the net revenue to be collected during the next two years, after deducting the amount of auditor's warrants and school certificates, now outstanding, will be about - - - - -	385,000 00
If we estimate the expenditures for the years 1847 and '48, at the same amount that it has been in 1845 and '46, there will be a surplus in the treasury on the first day of December, 1848, of - - - - -	63,341 83

The amount received from redemptions and sales of forfeited lands and town lots is much less than had been anticipated; a large portion of the property had been forfeited to the State in error, and in many counties the property was not offered for sale. The lists required by section 81, chapter 89, Revised Statutes, were not furnished to the clerks of the county commissioners' courts, except in a few cases. The original sale lists being on file in the clerks' offices, together with the impossibility of preparing the lists within the time allowed, induced the auditor to direct the clerks to sell from the sale books.

Clerks of the county commissioners' court are not required to furnish this office with an abstract of the sale of forfeited lands and town lots sold by them, nor to pay over the amount of State tax collected by them; neither does it authorize payment of accounts for publishing the notices of sales, as required by section 82 of the same law.

From the returns made to this office, I believe that at least one-half of the assessors do not complete the assessment of property during the period required by law. To remedy this I would suggest, that in large counties, assessors should be authorized to appoint assistants, subject to such control as may be thought fit, and that the clerks of the county commissioners' courts be required to enforce the law, if the books are not returned complete within the time specified.

The books of the assessors would answer for the collectors, equally as well as the copy made out by the clerk: this would save an annual expense of about \$3,500, and would give one month's more time to assessors to complete the assessment.

The copy of the assessment of forfeited lands and lots furnished to this office, as required by section 22, chapter 89, is useless and might be dispensed with.

I think that section 90, chapter 89, should be so amended as to require collectors to refund the taxes on lands sold in error, when they have been paid before sale, except in cases of double assessment, or when the property is not taxable.

So much of section 111 as requires the auditor to credit the collector with the amount of erroneous sales, appears to be unjust; for certainly he should not be entitled to the credit unless he refunds to the purchaser, and then only for the amount of the State tax.

There is no list furnished by the clerk of the county commissioners' court to the clerk of the circuit court, as intimated in section 112. The fees allowed for said list are claimed in some counties by the clerk of the circuit court, and in others by the collector; both of these officers perform sufficient labor to entitle them to the fees. In some counties collectors receive a commission of five per cent. on the first \$1,000 county tax; on others they only receive five per cent. on the county proportion of the first \$1,000, and three per cent. on the remainder. Hence this law operates unequally. Collectors for the years 1843 and '44 were allowed mileage for but one trip. Some of those who made regular payments, as required by law, retained the amount of mileage for both trips, leaving a balance of one trip against them. Believing that it would only subject the State to costs, I have not attempted to enforce the law.

Some modification in the last proviso in section 108 may be necessary. The failure of courts, and the mistakes of collectors, frequently prevent the latter from obtaining judgment against delinquent lands and town lots. In these cases the fees for the publication are neither collected nor paid.

Section 7th, chapter 89, relating to hawkers and pedlers, is very vague and unsatisfactory. There is no period limited when the license granted to them by the secretary of State shall expire.

The bonds of collectors should be filed in this office instead of the office of the secretary of State, as required by law.

All which is respectfully submitted.

THOS. H. CAMPBELL,

Auditor of Public Accounts.



TREASURER'S REPORT.



REPORT

OF THE

TREASURER OF THE STATE OF ILLINOIS.

DECEMBER 12, 1846.

TREASURER'S OFFICE, ILLINOIS,
Springfield, December 7, 1846.

*To the Honorable
The Speaker of the Senate:*

SIR: In compliance with law, I have the honor to submit to the General Assembly the following report, exhibiting the condition of this department from the 30th day of November, 1844, to the 30th day of November, 1846.

It will be recollected that, by a special act of the General Assembly at its last session, the available funds then in the treasury were appropriated to the payment of the expenses of that session. Owing to the adoption of this salutary measure, the value of auditor's warrants was, at once, appreciated from seventy-five to ninety or ninety-five cents on the dollar. Had the limited amount of specie then in the treasury been paid out indiscriminately, on all warrants presented, it would immediately have been drawn out by speculators who had bought auditor's warrants at reduced prices. As a natural consequence, members and officers of the Legislature would have been compelled to sell the warrants received for their services, at whatever prices those same speculators were disposed to pay. Thus would brokers have been supplied from the treasury with the means of controlling the market, and fixing, in fact, the value of all services performed for the State. The depreciation of warrants to sixty or sixty-five cents to the dollar, would have been the inevitable consequence; and the liabilities of the State for stationery and other articles purchased for its use would have been increased in a sum equal to the difference between specie and the depreciation.

Since the last session, auditor's warrants have maintained a value from eighty to one hundred cents on the dollar, and I am confident that the adoption of proper measures will place them at a higher average value for the succeeding than they have borne for the past two years.

Since my last report I have received from the commissioners of the school fund the sum of \$14,102 11, in part of the three per cent. fund due from the general government. It was my purpose, in compliance with the course I had previously pursued with respect to that fund, to make such a division of it as to apportion to each county its appropriate share for school purposes; but the law relating to the payment of interest having been changed at the last session of the Legislature, the auditor now draws orders therefor upon the collectors of the

several counties in favor of school commissioners, for the amounts annually due from the State, instead of issuing warrants upon the treasury. This change put it effectually out of my power to carry out my original design respecting that fund, which was to apply it as far as possible to the purposes of education, feeling, as I do, that every preference consistent with the public good is due to an object so sacred and beneficial in its character.

The purchase of paper to be used in printing ten thousand copies of the Revised Statutes, as ordered by the Legislature at its last session, involved a considerable addition to ordinary disbursements. At the time of its purchase, warrants, owing to the large amount issued to pay the expenses of the session then closed; of the Mormon disturbances, &c.; were worth but eighty cents to the dollar. It was thought by the executive of the State to be conducive to its interest to apply the sum of \$4,000 00 of said fund to the purpose of paying for the paper so purchased. To have paid this sum by the sale of warrants at a discount of twenty per cent., would have required an issue of \$5,000 00; a loss to the State of \$1,000 00 in this item alone. This sum of \$4,000 00 was received from the executive (in behalf of the school commissioners of the State) in warrants drawn for the purchase of paper, instead of specie. For a like reason, and to spare the necessity of selling warrants at a sacrifice, as had been previously done, the sum of \$1,774 97, has been paid out of this fund, to discharge the postage bills of the public offices, and to purchase fuel for the present session. This leaves in the treasury the sum of \$8,327 14 of said fund, which has been withheld from the payment of ordinary warrants, and which is now at the disposal of the Legislature. These measures have been adopted from a strong conviction of the importance of maintaining the value of auditor's warrants at the highest possible rates, until such time as there shall be money in the treasury to meet *all* demands; which time, it is believed, is not far distant.

The liabilities of the State for the next two years, comprising warrants and school commissioners' orders now outstanding; expenses of the next two years, including the accruing interest on the school, college and seminary fund, to be paid to the counties, will not exceed the sum of \$365,000 00, basing the estimate upon the expenditures of the two past years.

To meet this estimated expenditure, there are, of arrearages due from collectors of 1845, and previous years; of revenue for 1846 and 1847, (after deducting expenses of collection;) of the funds now in the treasury, and the sums to be received from the United States government, on account of the three per cent. fund, sufficient reliable resources to make the gross sum of \$428,000 00, thus exhibiting a clear balance in favor of the treasury, of \$63,000 00. It is therefore evident that, should collectors be prompt in making their settlements at the treasury, there cannot fail to be funds in hand, when the revenue for 1846 is due, to pay all demands payable at this department.

The three per cent. fund now due from the general government, which can doubtless be realized before the adjournment of the Legislature, together with the sum now in the treasury, will amount to about \$25,000 00. If applied to that object, this sum will go far towards defraying the expenses of the present session, and have the effect of so preserving the credit of the State as to keep warrants at about par at this point. This would regulate their value elsewhere at about the same standard; and those now out would soon flow in through the channels of the revenue, without causing that serious embarrassment which would accompany their depreciation.

But if the means now at the disposal of the Legislature are applied to the payment of warrants in general, or of any demands other than those growing out of the present session, a depreciation in the value of warrants would be pro-

duced at this point, accompanied by a corresponding reduction elsewhere. For it is but reasonable to suppose, that the payment of these available means on any warrants that may be outstanding, will cause those in the hands of speculators to be immediately presented. Thus would this class of persons have it in their power to purchase of the officers and members of the Legislature, their warrants, at whatever price their interest or caprice might dictate. It is, therefore, believed to be in accordance with considerations of sound policy, and for the best interests of the State, to apply the available means at the disposal of the Legislature to the payment of the expenses of the present session.

By reference to the accompanying exhibits it will be seen that there has been paid into the treasury, on account of the "interest fund," devoted by law to the partial payment of interest on the State debt, the sum of \$62,024 33, of which the sum of \$62,000 00 has been drawn out by the Governor, to be applied to the object contemplated; leaving a balance in the treasury to the credit of that fund of \$24 33.

The improvement which has taken place in the credit and financial condition of the State for the past two years, is a subject for sincere congratulation, and affords abundant evidence not only of the increasingly prosperous position of the State itself, but that the same blessings are diffused amongst all its people. With such encouragements we may hope for the speedy arrival of the time when the State will be freed from her embarrassments, and her citizens from those misfortunes which are always consequent upon a derangement of public affairs.

Very respectfully, yours, &c.,

M. CARPENTER, *Treasurer.*

To balance in the treasury on the 1st December, 1844, -	\$11,412 05	By amount of auditor's warrants taken into the treasury and cancelled and returned to the auditor's office, -	\$280,829 86
To amount received of sheriffs and collectors for the year 1845, -	123,602 51	By amount of interest on the same, -	1,166 61
Do do do collectors for years prior to 1844, -	137,528 03	By amount of discount on Bank of Illinois and State Bank notes received into the treasury by special act of the Legislature, -	519 65
To amount received of clerks for revenue, -	25,668 07	By amount of internal improvement scrip received by special act of the Legislature and returned to the Governor, -	1,687 50
To amount received for redemption of lands and town lots forfeited to the State and redeemed at this office up to March 31st, 1845, -	2,225 95	By amount of old State paper received for revenue and burned, -	8 15
To amount received of clerks for lands sold and redeemed from April 1, 1845, to November 30, 1846, -	7,201 57	By amount of auditor's certificates in favor of school commissioners received of sheriffs for revenue, -	38,284 28
To amount received of clerks for license granted by them to insurance companies, -	5,614 74	Total credit, -	\$322,496 05
To amount received of minor heirs for redemption of lands, -	613 12	To amount remaining in the treasury, -	8,327 14
To amount received of money refunded for warrants issued in error, -	537 06		
To amount received of the Governor on account of the distribution fund, -	180 71		
To amount received of the school commissioners of the State on account of the three per cent. fund, -	252 90		
To amount received on account of fines, -	14,102 11		
To amount received of clerks for brokers' license, -	100 00		
To amount received for State lands sold by special act of the Legislature, -	400 00		
To amount received of the lessee of the penitentiary, -	134 37		
To amount received of the secretary of State for license granted by him to hawkers and peddlers, -	5,100 00		
	2,100 00		
Total receipt, -	\$330,823 19	By amount of interest fund paid out to the Governor, -	\$330,823 19
		To amount of said fund remaining in the treasury, -	\$62,000 00
			24 33
There has been received of the interest fund up to the 30th of November, 1846, -	\$62,024 33		\$62,024 33

A STATEMENT of the monthly receipts into treasury from the first December, 1844, to the 30th November, 1846.

Date.	Collectors.	Sheriffs.	Clerks for Insurance.	Distribution fund.	Redemption of lands.	Money refunded.	Pedlers' license.	Clerks for revenue.	Clerks for lands sold and redeemed.
1844. December	\$6,696 21	\$3,650 27	\$32 45	\$252 90	\$294 79	\$150 55			
1845. January	3,131 94	10,565 30			435 77				
February	1,585 29	13,018 05			413 84				
March	4,305 83	22,661 63			57 17		\$100 00		
April	3,165 24	14,000 83					50 00		
May	79 52	15,351 32					200 00	\$483 50	
June	381 93	22,121 23					150 00		
July	720 42	11,624 20	20 19				150 00		
August	103 94	4,775 84					150 00		
September	378 22	2,052 56	5 80				50 00		
October		1,934 29					200 00		\$17,749 09
November	258 91	1,666 77					200 00		1,054 22
December	1,559 06	6,420 55					50 00		196 51
1846. January	117 24	1,260 46						54 95	882 01
February	106 48	19,218 63	77 13					1,687 50	342 61
March	219 97	8,212 58							562 84
April		6,125 68					150 00		123 47
May	26 28	10,380 40	70 70				50 00		56 80
June		31,921 79					50 00		43 62
July		18,384 51	59 75				350 00		150 01
August		20,536 27	247 10			30 16	50 00		133 28
September		10,128 77					50 00		64 38
October	135 99	2,296 36					50 00		112 29
November	187 50	1,010 97					50 00		36 53
									7 08
	\$23,159 97	\$159,318 26	\$613 11	\$252 90	\$1,201 57	\$180 71	\$2,100 00	\$2,225 95	\$5,614 74

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TO THE

LAWS OF ILLINOIS.



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TO THE

LAWS OF ILLINOIS.

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ERRATUM.—In the “Act to establish the Illinois State Hospital for the Insane,” page 52, seventh line from the bottom, for *two* read *ten*





